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Jacobus Bathon

Wilhelmus Norwicens

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Robertus Abb de Alban

Willms Abbas Westm

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Radus pole Archidiac Salop prebendar Heref et eccl Constan

Ricardus Sobe archidiac Glouc

Edmundus Bonner archid Leycestrie

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OF

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FROM THE COMMENCEMENT OF THE SIXTEENTH CENTURY

TO THE REVOLUTION IN 1688.

WITH

Notes, Additions, and a Continuation

BY

THE REV. M. A. TIERNEY, F.S.A.

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TO THE

RIGHT REVEREND

THOMAS GRIFFITHS, D.D.

BISHOP OF OLENA,

AND

VICAR APOSTOLIC IN THE LONDON DISTRICT,

THIS REPRINT OF A WORK,

CONTAINING

THE HISTORY OF THE CATHOLIC BODY, DURING THE PERIOD OF ITS TRIALS AND ITS MISFORTUNES,

IS, WITH HIS LORDSHIP'S PERMISSION,

INSCRIBED AS A TESTIMONY OF

RESPECTFUL ATTACHMENT,

BY HIS

OBLIGED AND FAITHFUL SERVANT,

M. A. TIERNEY.

The following Paragraph is from an Article on "Gibson's Preservative against Popery," in the "British Magazine for May, 1849.—It was pointed out to me by Mr. Turnbull when I was in Edinburgh, in the following Month; and I immediately wrote the subjoined reply, which is taken from the July Number of the same Publication.——

Nor are these evils confined to Protestants. Roman Catholics have also been infected with the republishing mania, and have had to contend in the same way with incompetent editors, selected only as being thorough-going men for their party. It is not my present purpose to enter into this part of the subject—but I may mention one curious example. The Rev. M. A. Tierney, F.S.A., an English Roman-catholic clergyman, undertook, a few years ago, to re-edit "Dodd's Church History of England;" he has taken several very extraordinary liberties with his author, of which he gives the reader no notice whatsoever, and which are of such a nature, that the student who would quote Dodd, can never tell without reference to the original edition, whether he is reading, in Mr. Tierney's reprint, the words of the author, or the additions (to say nothing of suppressions) of the editor; but the most extraordinary circumstance connected with this publication is, that Mr. Tierney, in the course of his researches, never seems to have discovered the name of the author whose work he undertook to edit; he seems quite unconscious that Dodd was *a fictitious name;* and that the real author was not Charles Dodd, but Hugh Tootle.

To return, however, to our Protestant editors.

DODD'S CHURCH HISTORY.

SIR,—By the merest accident in the world, my attention has this moment been called to a passage in the last or May number of your Magazine, which, I think, entitles me to claim your indulgence for a brief reply. It occurs in the article on "Gibson's Preservative against Popery," wherein the writer is pleased to speak of what he calls "the republishing mania" among Catholics; and, having thus prepared the ground for his attack, proceeds to mention me as "one curious example" of "the incompetent editors, selected only as being thorough-

* That is, I suppose, "in the sixth year of Edward." I have here, as everywhere else, followed exactly the documents themselves.

† See Ascham. Epist. Lib. 2, 39, p. 112, Ed. 1703, for another notice of Dr. Buckmaster, and Baker's MSS. in the British Museum, vol. xiv. p. 171, for some account of his Vicechancellorship.

going men for their party," with whom they (the Catholics) "have had to contend." On the mere question of competency, or incompetency, it would ill become me to speak; and, had my anonymous assailant confined himself to the simple expression of his opinion on ~~the~~ subject, I must have been contented to submit to it in silence. But he has done more. He has stated what he would wish the world to receive as facts; and, as these facts possess not the slightest foundation in truth, he must excuse me if I not only demur to his accusations, but also endeavour, through the medium of your pages, to set myself right with your readers.

The charges advanced by your correspondent may be reduced to three heads:—that, in my edition of "Dodd's Church History," I have "taken several very extraordinary liberties with my author, of which I have given the reader no notice whatsoever;" that these liberties "are of such a nature, that the student who would quote Dodd can never tell, without reference to the original edition, whether he is reading the words of the author, or the additions (to say nothing of suppressions) of the editor;" and, finally, as "the most extraordinary circumstance connected with this publication"—the one, in fact, on which your correspondent evidently relies to establish my incompetence—that, "in the course of my researches," I "never seem to have discovered the name of the author, whose work I undertook to edit," (pp. 530, 531.) A few words on each of these points will perhaps show whether the "thorough-going" qualities of the partisan rest entirely with me, or are more gracefully illustrated in the conduct of my accomplished critic.

1st. With regard to the "liberties" which I have taken with my author, and to the omission of all reference to this supposed fact. In the Prospectus, circulated before the appearance of the work, and again in the Advertisement prefixed to the first volume, having alluded to the difficulties under which Dodd wrote, to the consequent inaccuracies and omissions observable in his History, and especially to "the defective arrangement of his materials," I proceed as follows:—"From the mention of these defects, the public will readily anticipate the design of the present edition. Where an error shall appear, it will be corrected; where an omission of consequence shall be discovered, it will be supplied. If the mistake extend only to a date, or affect only an immaterial portion of the narrative, it will be rectified, without notice, in the text. In other instances, whether of inaccuracy or omission, a note will be inserted; and whatever the researches of later historians may have discovered will invariably be added." Now, these, with the transposition of certain parts and passages, which was necessary in order to remedy "the defective arrangement of Dodd's materials," and which is also specially noticed in the Prospectus and the Advertisement, are the *whole* of the "liberties" which I have taken with this author. Whether they are altogether so "unwarrantable," as my assailant is pleased to assert, the public will judge; but that I have omitted to apprize the reader of what I have done, is one of those assertions which, with the evidence of the above extract before us, will be best described as simply untrue.

2nd. But there is no special and particular indication of the "liberties" which I have taken with my author; so that, in reality, "the student can never tell whether he is reading Dodd's words," or only "the additions" which I have made to Dodd. Now, what are the facts? It is, of course, unnecessary to advert to the large mass of original papers with which I have enriched the work, and which are there printed for the first time. Setting these, therefore, aside, my additions, in the first and second volumes, are confined, I think exclusively, to the notes; in the third and fourth, they comprise, besides the notes, a few pages of text relative to the foundation of certain religious houses abroad, together with two entire articles, or original papers, on the subject of Persecution; and these additions, both in the notes and in the text, are not only *printed within brackets*, but are, moreover, all and each of them, *actually marked with my initial.* In the fifth volume, I have been equally careful to distinguish my additions from the original matter. That volume is almost entirely my own. The first article in it is expressly headed as an "*Additional Article,*" and is moreover marked, *not only in the text, but also in each separate note, with my initial.* The other additions in the volume are also placed within brackets and similarly marked: while, to remove the very possibility of doubt upon the subject, I have prefixed to it an *Advertisement,* in which the very first words declare that, "with the exception of a very few pages, it is offered to the public as *an original supplement to what Dodd has written.*" It is difficult to imagine that your correspondent would venture to speak so confidently and so unsparingly of a work which he had not seen; and yet, if we reject this supposition, I am afraid that we must adopt a much more unfavourable one.

3rd. I now come to the last of your correspondent's charges—my alleged ignorance of Dodd's real name. I "*seem,*" so he assures his readers, to be "quite unconscious that Dodd was a fictitious name, and that the real author was not Charles Dodd, but Hugh Tootle." And so, to *seem unconscious* is, in the apprehension of this writer, to be *really ignorant:* not to enunciate any particular fact whenever and wherever he may please to look for it, is the same thing as to be utterly unacquainted with it, and to be in reality wholly "incompetent" for the task I have undertaken! But what is the real amount of ignorance or incompetence displayed by me in this matter? That, *in the work itself,* so far as it has yet gone, I have nowhere alluded to the fictitious nature of the signature under which the Church History was published, is undoubtedly true: but I have mentioned it elsewhere, and *in immediate connexion with the work;* and had my assailant's "researches" been as extensive as he would doubtless wish the world to believe them, he would, I suspect, have been aware of this. If, however, he is really ignorant of it, let him look at the *Prospectus,* which was issued, and extensively circulated, shortly before the appearance of the first volume; and he will there find, in the very first words of the first sentence, the following explicit statement:—"*The work of* HUGH TOOTLE, *better known under the assumed name of* CHARLES DODD, stands alone among the compilations of Catholic His-

tory." That this was not repeated in the *Advertisement* prefixed to the work, was the effect of design. Dodd's Life was to be inserted in its proper place, in the biographical part of the History: and it was unnecessary to set forth in the Advertisement what would more appropriately appear in the Life.

With this I take leave of your correspondent. To the insinuated charge of "*suppression*," I disdain to offer a reply. Insinuation is the weapon of the literary, as of the moral, assassin. If my assailant mean to accuse me of having dishonestly mutilated any part or passage of the History, let him do it distinctly and manfully, and I shall then know how to deal with him.

I am, Sir, your obedient servant,

Edinburgh, June 5, 1849. M. A. TIERNEY.

The MS. attached to this is part of a letter written by Dr. Todd of Trinity College, Dublin, and addressed to W. Turnbull. It was written before Turnbull was a Catholic, and when the writer no doubt thought that he would sympathize with his abuse of Catholics and their religion. I have placed it here, because there is reason to believe that Dr. Todd is the writer of the Article on "Gibson's Preservative", to which the above printed letter of mine refers. —

Dr. Todd, I may add, is the same person, who, when W. Turnbull complained that the entrance fee of £4 to the Irish Archæological Society was too large, informed him that such an amount had been fixed on, for the express purpose of excluding the Catholic Clergy from the Society. —

M. A. Tierney —

of the Jesuit Ribadeneira? Is it for his work on the English "Schism"? And if so, do you really think the Anglican Church to be in schism!

I most fully sympathize with your feelings about the sad outrages upon all Catholic feelings & principles which you must daily witness in a country where Presbyterianism is established & triumphant. But "hatred" is a term a Christian should endeavour to avoid, or at least he should never apply it to his fellow creatures however erring or deceived — We may hate Presbyterianism, as we should hate any thing that dishonours our Lord & His holy Church, but we may not hate Presbyterians —

Romanism in its present state, specially in Ireland, governed as it is by the worst moral principles, in fact by Satanism of the most primitive kind, is entitled to no respect or sympathy — The people are in the lowest state of ignorance

– superstition – Tools of a political party who scruple at no dishonesty to carry on their designs, & who are educating the rising generation in principles of the most rancourous hostility to the Church & Churchmen –

I look upon McHale to an honester man in his way than Mr. Tierney & Lingard. He is a thorough Papist, & speaks out his Popery – They are engaged in an attempt to soften down Popery & the prejudices of mankind, & in this attempt they do not hesitate to suppress & falsify documents – Tierney's edition of Dodd's Church History is any thing but an honest book –

I wish you could make time to visit Dublin – railroads & steamers may surely serve your turn without waiting for a balloon – I will be happy to see you whenever you can make it convenient to alight upon the Emerald isle –

Yours faithfully

Wood

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MAR 14 1885
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ADVERTISEMENT.

The present volume is the commencement of a series, which, in the first place, will complete the republication of Dodd's Church History, and, in the next, will conduct the narrative to the termination of the eighteenth century. Of the merits of a work, so universally known, and so highly appreciated as that of Dodd, it might almost appear superfluous to speak. Commencing with the period of her first misfortunes in this country, the writer accompanies the ancient Church in all the vicissitudes of her course, during the next two centuries. He marks the origin of the Reformation in the wayward passions of Henry: mourns, with religion, over the ruined altars and desecrated shrines of Edward's reign: watches their alternate rise and fall under the sister sovereigns, Mary and Elizabeth; and, tracing the varied calamities of his Catholic countrymen under the dynasty of the Stuarts, closes his work with the closing fortunes of that unhappy family. But it is not in the extensive range of the history, nor in the interest, thrilling, as it must be, to every Catholic feeling, that the whole merit of Dodd's performance consists. To talents of an eminent order, he added an industry peculiar to himself, a patience of research seldom equalled, and a liberality of mind and expression as admirable as, unfortunately, it is uncommon. "In the compilation of this work," says Mr. Berington, "he spent almost thirty years. It contains much curious matter, collected with great assiduity, and many original records. His style, when the subject admits expression, is pure and unencumbered,—his narrative easy,—his reflections just and liberal. I have seldom known a writer, and that writer a Churchman, so free from prejudice, and the degrading impressions of party zeal."*

* Memoirs of Panzani, Pref. ix.

The performance of Dodd is the history of the downfall of the Catholic religion in this country. On the one hand, we see the efforts of its enemies to overthrow, on the other, the struggles of its adherents to support and defend, it. The former are more generally known: the latter, which abound with recollections of the most interesting kind, are, with few exceptions, to be found only in the pages of Dodd. Among these, are the foundation and history of the English colleges abroad,—the attempts to restore the hierarchy,—the institution of an arch-priest,—the appointment of the two bishops of Chalcedon,—the establishment and jurisdiction of the chapter,—the introduction of vicars-apostolic,—and the mission of Gregorio Panzani. Nor must we omit the biographical notices, so copiously scattered through the work. In this portion of his task, indeed, the talents and industry of the writer are eminently conspicuous. From sources inaccessible to others, from the diaries of colleges, and the unpublished correspondence of individuals, he has drawn a body of information at once original and important. He has sketched the lives of the most distinguished members of the Catholic community; has described the works, and traced the literary career, of its numerous writers; and, carrying us back to the period of its severest trial, has left the sufferings and the constancy of its martyrs to edify and improve the world.

It is not to be expected, that, in the execution of a work, written under the peculiar circumstances which attended the production of the Church History of England, the author should be entirely free from imperfection. Dodd was not only a Catholic, but also a clergyman. Living, therefore, in a state of proscription, surrounded by alarms, and shut out from the intercourse of the learned, he was compelled to prosecute his studies in secret, and to send forth their result to the world without that final correction which they might, perhaps, otherwise have received. The sources, moreover, of his information were, in many instances, distant and far apart. A manuscript overlooked, or accidentally laid aside, would not be likely to reclaim attention: a transcript, made in haste, and imperfectly collated, could not afterwards be amended; and an error, though only in the name or date of an instrument,

would, not unfrequently, lead to the most inaccurate representations of events. Hence, with all his excellences, Dodd is sometimes defective, and frequently incorrect. With him, dates and names are too often mistaken, or confounded: transactions of stirring interest, or of lasting importance, are occasionally despatched with the indifference of a passing allusion; and occurrences, that scarcely merit a casual notice, are swollen into consequence, with the fulness of a circumstantial detail. But the principal fault of the writer lies in the defective arrangement of his materials. This was long since complained of by Mr. Berington: it has been felt and noticed by all who have had occasion to consult the pages of the History: and, united with the want of a proper index, has, no doubt, contributed, in a great degree, to diminish the general usefulness of the work.

From the mention of these defects, the public will readily anticipate the design of the present edition. Where an error shall appear, it will be corrected; where an omission of consequence shall be discovered, it will be supplied. If the mistake extend only to a date, or affect only an immaterial portion of the narrative, it will be rectified, without notice, in the text. In other instances, whether of inaccuracy or of omission, a note will be inserted; and whatever the researches of later historians may have discovered, will invariably be added. It may be farther stated, that, of the MSS. referred to by Dodd, many have been brought to England, and are now, with numerous others, confided to the custody of the Editor. These will all be applied to the purposes of the present edition. The papers already printed will be collated; and many important documents, not hitherto published, will be inserted.

The arrangement of the different parts of the work is a more delicate task. To remodel is more difficult than to construct: alteration is, in general, but a bad apology for weakening an original design. In the present case, however, it has been thought, that, without injury to the author, his plan might, at least, be partially simplified and improved. Those, who are acquainted with the former edition, are aware that the history is divided into eight parts, corresponding with the eight reigns over which it extends. Of these parts, each is again divided into the three other parts

of History, Biography, and Records; and these are still farther subdivided into an indefinite number of articles, according to the variety of the subjects to be treated, or to the rank, the station, or the sex of the several persons whose lives are to be recorded. It is needless to point out the inconvenience of this complex and disjointed arrangement. To remedy the defect, it is intended, in the present edition, to place the work under the two grand divisions of History and Biography; to print the History in the earlier, the Biography in the later, volumes; to subjoin to each volume an Appendix, containing its own records properly arranged; and to insert a reference in the notes to each article of that Appendix, according as its subject arises in the course of the narrative. It is only requisite to add, that the lives, in the biographical part, will be methodically disposed; that the authorities, both of Dodd and of the Editor, will be carefully stated in the notes; and that a General Index to the contents of the whole work will be given at the end of the Continuation.

Of that Continuation the Author will hereafter have occasion to speak. At present, he has only to offer the first volume to his readers, as a specimen of the manner, in which he hopes to work out one part of his design. His ambition is, to render a valuable writer more generally accessible, and more extensively useful: if the approbation of the public shall give him reason to hope that he has succeeded, he will require little other encouragement in the labours that are still before him.

Arundel,
February 9th, 1839.

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THE AUTHOR'S PREFACE.

THERE are so many obstacles in the way, which hinder both authors and readers from making their labours profitable either to themselves, or to the rest of mankind, that it is as hard a task to prescribe rules to the one, as it is to please the other. So many things happen to bias our opinions, and vitiate our taste, that the strongest resolutions of impartiality will prove insignificant, unless we be carefully guarded against those temptations, whereby men are not only daily surprised, but, as it were, driven, into errors and mistakes. Ignorance, education, religion, passion, and party-disputes, are in a kind of confederacy to seduce mankind. Under their influences, we become both writers and readers, and place ourselves on the bench of judges; though, for the most part, but very indifferently qualified. Three things are required to complete the character of a judge;—authority, skill, and integrity. Without authority, his sentence is void; without skill, it is rash; and without integrity, it is unjust. I will not dispute the common right of opining, where nature seems to have given a general commission: but the other two qualifications are frequently wanting.

The first impediment, in the search of truth, is ignorance, which few are willing to own, but all are made

sensible of by daily experience. The usual method, we take, to avoid this inconvenience, is, to appeal to what we call reason. Reason, indeed, is a noble gift; and, when under good management, not only hugely serviceable to all the purposes, both of this life and the next, but a sufficient criterion in all enquiries whatever. But, as it often happens to be under the direction of our passions, there is no folly nor error in life, to which it may not be an introduction. Another difficulty, we have to struggle with, is education, which, though it is designed to cultivate and improve our ignorance, yet it has very often a contrary effect. As the products of the earth become rich or poor, from the qualities of the soil; so the mind is replenished with useful or pernicious ideas, according to the dispositions of those, by whom we are documented. I own there are some common notions of truth grafted by nature: but they are so very few, and so easily put into confusion by an improper education, that the pupil appears in the world with a vast number of prejudices, which are daily strengthened and multiplied by the divided interests of mankind. The next obstruction, we meet with, is religion, which, being a superior consideration to all others, may reasonably be supposed to have the strongest influence over human actions. Now, religion is an enemy to partiality; and they, that make it the only test of historical facts, may be said to labour under an invincible prejudice in favour of themselves. Yet such are our corrupt inclinations, that every man is apt to suspect his neighbour's veracity, who worships not God after the same manner: and, by this means, persons of different persuasions, in matters of religion, seldom do justice to one another upon the foot of common honesty. The pretended advantage of religion is a foreign con-

sideration, where matters of fact are under debate. The case is then between the honest man and the knave; the man of capacity, and one that is unequal to his task. Again, passion, or violence of temper, is to be avoided, as one of the greatest enemies, we have to engage with. Virtue and truth cannot lie under a greater slavery, than where persons are not only tempted, but hurried, into vice and errors. By passion, I do not mean that strong affection, we have for the common cause, either as to religion, or politics; but the extravagant transports of a writer, whose affections and aversions are under no management; whose labours are all subservient to private and domestic views; where pride, interest, and revenge are the only springs he moves by, in his pretended zeal. As to party-disputes, when party-men desire to be heard, the reader is to hold the scales continually in his hand; to look into intentions, as well as words; to weigh the bag, as well as the goods, that are exposed to sale. Were those, who daily appear in the world in the quality of authors, disposed to steer their course by this compass, they probably might avoid those rocks they commonly split upon, and the world be better informed by their labours.

For my own part, though I do not pretend to be entirely free from the prejudices I have mentioned, yet so far I have endeavoured at it, as not to precipitate myself upon the present undertaking, without some foresight and apprehension of the danger, to which I was going to expose myself. If the world requires an apology for the liberty I take in desiring their attention, I appeal to the generosity of the present age, which allows authors to be heard upon very easy terms. This consideration has encouraged me to lay hold of the indul-

gence, with hopes of having it further extended, if I answer not expectation. I own, when I first laid down the plan of this work, several things occurred, to deter me from it. I considered mankind under the two opposite dispositions of indolence and curiosity. The one threatening me with insipidness, more insupportable than the severest criticism; the other so full of expectation, that an angel could not please. To redeem myself from this perplexity, I was prompted to have recourse to those popular methods of bespeaking the world by protestations of sincerity, appeals to conscience, and disclaims of partiality. But too much of this kind of courtship discovering an inclination to deceive, made me apprehensive of the expedient. These reflections have given some ease to my mind, as to any extraordinary solicitude, concerning the success of my labours. However, that I may not seem to neglect, much less to despise, the candid and judicious reader, it will be proper to offer something towards removing prejudice, and rendering my endeavours acceptable.

The first demand the public may have upon me, is, to be acquainted with my sufficiency, and what stock I have, towards carrying on so great a design. For, the subject I have made choice of, being very extensive, like a merchant who deals wide, I must be provided with variety of matter to answer a general call. Now, the method I proposed to myself was this: besides above thirty years' conversation I have had with persons of good reading, and some curiosity, I perused the best historians of our country, both Catholics and Protestants. To these I joined those biographers who designedly gave account of such persons, whose lives I intended to publish: and, that I might not be carried away by party accounts, and deceived in the true ten-

dency of matters of fact, I was advised to have my eye constantly upon the public records of the nation, which would enable me to distinguish between the intention of the legislature, and the partial insinuations of private persons. To this purpose, I had frequent recourse to journals, statutes, proclamations, and generally to all such papers as came forth with the stamp of public authority.

This appeared to be a good foundation; but it was far from either satisfying my curiosity, or coming up to the demands of the subject. The public histories of the nation were in every body's hands; and, excepting some singularity in the method, I could pleasure the world with nothing new from that source. This put me upon searching after more choice materials, which, I rightly judged, must be lodged in Catholic hands; especially what related to their story, since the reformation. But here, again, several difficulties offered themselves, not easy to be got over. The treasures, I was in search after, were either reserved in colleges and monasteries abroad, or concealed in private hands at home; and, perhaps, in the keeping of persons not very communicative. There was a considerable charge that attended the search, and great uncertainty in the success. The undertaking appeared so unmanageable, from these apprehensions, that, had I yielded to the suggestions of some of my friends, I must have dropped my pen, and sunk under the weight of the idea. I rather chose to embrace the advice of a few, who, having conceived a favourable opinion of my industry, encouraged me to proceed, and carry on the inquiry, as far as circumstances would permit. By these advances, I had made in the opinion of some, I was led on to hope for the like success from all others, who were inclined to

favour such kind of undertakings. Wherefore I resumed the task, and, after several essays, flattered myself that I should become sufficiently master of my project.

In the first place, as it was requisite for me to go abroad, in order to collect materials, so I was particularly careful not to be imposed upon by hearsays, or second-hand intelligence. I was not only favoured with the sight of very valuable records, but was permitted to read over the journals, or had authentic abstracts from our colleges and monasteries; many of which places I visited in person, and by my correspondents received satisfaction from others, that were at too great a distance. Where I found persons had been either careless in continuing their journals, or unwilling to communicate them, I was able to make good such deficiencies from the records of the English college at Doway; which, being the first community established abroad after the reformation, and a nursery to most of the rest, afforded intelligence both as to persons and facts relating to the whole English mission. But, among all the records I met with, none gave me more satisfaction, than the original letters of many eminent Catholics, who opposed the reformation in the beginning of queen Elizabeth's reign; from whence I drew several useful hints, as well towards completing the lives of particular persons, as for illustrating many obscure passages in our Church History of the two last ages.

By this additional help, I was enabled to acquit myself with some kind of reputation in the present undertaking. But still new difficulties started up before me. A work of this kind being liable to many exceptions, no small pains were to be taken, in order to reconcile different humours and interests to my good intentions. This obliged me to a great deal of caution, and to pro-

vide myself against a general attack. For both Protestants and Catholics might expect to hear some accounts not very much to their advantage. Protestants may be apt to arraign the design in general, upon a pretence that it cannot be carried on without detriment to their cause, and extolling those whom they not only disregard, but often look upon with contempt: that to exhibit such an appearance of learned men, who constantly kept their adversaries in play, is insulting the established church: that I shall frequently be put upon justifying Catholics, as to several facts, wherewith they are charged by the generality of Protestant writers. But as I have no inclination to give offence, so I persuade myself, such kind of exceptions will not be made by any judicious person of the church of England. My design not being to enter into the capital quarrel about religion, I presume all mankind are upon a level, as to personal merit. And if I either extol or depreciate particular persons, I am only accountable to justice and decency in my characters. Nature has very little regard either to religion or climate. She deals her favours with an impartial hand: wit and beauty, with other accomplishments of body or mind, are found under any latitude; and the most shining qualifications under a wrong direction. Are we not daily influenced by success alone, as to the opinion we entertain both of persons and causes? True merit stands not upon any man's opinions, but upon more rational proofs. The instruments of a prevailing, nay, even of a lawful, power, do not always behave themselves with credit to those that set them to work. For, though submission to lawful powers be a duty, both prudence and justice may be wanting in the administration: and it is no less unreasonable to imagine, that every one, that is happy in

having a good cause to defend, has capacity and learning to defend it after the best manner. Now, if the Catholics of this kingdom (considering their small number) do make some kind of figure in history, it is a fact I cannot conceal: and, indeed, it ought to pass as a high compliment to the church of England, when their champions shall be informed, that those they engaged with were not despisable adversaries, but persons of skill and courage; and, if they happened to be worsted, a credit to the conquerors by whose hands they fell. As for those facts, in which truth will oblige me to appear an advocate for the Catholics, I apprehend neither danger nor inconvenience from the sincere and candid writers of the adverse party, whom I shall quote as unexceptionable vouchers, upon several occasions, where either honour and conscience have prompted them, or providence has guided their pens, to do justice to those that laboured under calumnies. As for others, whose exasperated minds incline them to take up calumny upon trust, and to whom it is a piece of religion not to be truly informed, wheresoever they have conceived a prejudice, it is a sufficient justification, as well as punishment, to leave them under the delusion. I shall be extremely well pleased, if these reflections will set me right with the Protestant reader; as, indeed, there is no reason why a method should not be approved of, where justice is done, though to an adversary. Neither church nor state can suffer in their just claims, by representing a Catholic handsome, learned, or patient under afflictions. It is depriving God and nature of their due, not to acknowledge and bow to excellences, wheresoever they are found; and an instance of a sottish partiality to confine them within the limits of our idle speculations.

As to the exceptions, which may be made by Catholics, there will, perhaps, be more difficulty in removing the scruples arising from this undertaking, which (as may be pretended) will reveal their secrets, and become prejudicial to the common cause, by producing a body of men continually labouring against a church established by law; and, in consequence of this, awaken the government, to be more inquisitive about their methods. Now, either I am a stranger to what Catholics call their secrets, or what they mean may be considered under these three heads,—doctrine, personal behaviour, or the methods, whereby they propagate the interest of their religion. I dare make bold to say, they are under no apprehension of having their doctrine detected. For, if I mistake not their case, they suffer more by concealment and misrepresentation, than by an open and candid declaration. As for their behaviour, if either the whole body, or particular persons, have injured their faith by an improper carriage, it is to be hoped, they do not expect panegyrics on that score. If it is the part of a christian neither to justify nor to palliate evil practices, it is, in like manner, the duty of an historian, not to be afraid of committing to paper what he is obliged to think and speak: and, though silence, in many cases, may be commendable, yet, in many others, it is an enemy to truth and sincerity. I own, I cannot wind myself up to that extravagant pitch of prudence, as to bury those practices in oblivion, which some have been charged with, and others legally convicted of. No party will suffer a jot for their sincerity in this respect; whereas a contrary behaviour betrays a disposition not to act fairly. Besides, it is a certain way to seduce posterity by lame and imperfect accounts; and puts them out of a capacity of judging truly either of per-

sons or of causes. Catholics, therefore, have nothing to fear from this kind of freedom. If the justice of a cause depended upon the behaviour of particular persons, christianity itself would feel the weight of the charge: the whole church might be reviled upon account of Judas's treachery: the body of Catholics would become answerable for the gunpowder-plot; and the murder of king Charles I. be made an article of the Protestant creed. If in these, and such like instances, I do justice to whole bodies, and only charge those with misbehaviour, who were legally convicted, I expect thanks from all lovers of truth and sincerity.

Now, as to the other exception, which may be made by Catholics, concerning the method of supporting the interest of their religion by the conveniences of colleges and monasteries, it is so far from being a secret, that Doway and St. Omers are as well known, as Oxford and Cambridge: and it would be a very stale information, to acquaint the government, that there are several English convents abroad; which the nation is already as well convinced of, as that they have boarding-schools of their own. Again, it is very obvious to imagine (and I believe the wisdom of the nation might hit upon it without any suggestion from me) that such a number of persons cannot subsist without bread; and, in consequence of this, that there must be some remittances, in order to support them. But it is all speculation, to infer from hence, that the government will enter upon any new project against Catholics. What I shall have occasion to produce, in relation to these matters, I am confident, will have a contrary effect, and rather contribute to make the government easy and propitious, in regard of those poor establishments, and free the party from all apprehension of being disturbed; especially,

when it will be made appear, that the chief of those colleges and communities at Doway, Rome, St. Omers, Liege, Valladolid, Lisbon, &c., were founded by foreigners, and still are chiefly supported by the strength of the same benefaction. The same may be said of the convents for religious women; to whose establishment the purses of foreigners were willingly unstrung: which, with some trifling allowance from their parents, by way of portion, affords them a bare subsistence. And it is well known to our protestant nobility and gentry, who have been abroad, that the nuns continually work towards their maintenance; that their way of living, both as to dress and diet, is very mean, and below envy; that they content themselves with bare necessaries; all which not only answers the end of their religious call, but makes them become less burdensome to their friends, and, it is to be hoped, less obnoxious to a government, which may suspect itself injured by remittances towards their support. That some remittances are now and then made, is what may easily be imagined: but then, they are so very inconsiderable, that I may presume to say, any two or three noblemen of distinction, who make the tour of France and Italy, draw more money out of the nation, than what is annually remitted towards supporting the colleges and convents abroad. And, if this representation is not credited, I believe, I am able to produce distinct and convincing proofs of it.

These exceptions, that are, or may be, proposed by Catholics in general, bring into my mind what may be alleged against this performance by particular persons of that communion, who will be apt to think, that I shall renew litigious matters, scandalize Protestants by reporting them, and, perhaps, be too partial in my decisions. But these jealousies are soon removed, when

the case is truly stated. It is a happiness not to be expected in human life, to be entirely free from contention: but the bare reporting of our forefathers' contentions, does not prove any inclination to quarrel upon the same subject. Has it not always been customary, to transmit such accounts down to posterity? The debates among the Apostles, concerning the ceremonies of the old law; the opposition St. Peter met with from St. Paul; with the party-disputes concerning the widows that were employed in administering the goods of the church, are carefully recorded in the Holy Scriptures. The same liberty (if it may be called so) was taken, in the account we have of the warm controversies between pope Victor and the Asian bishops, concerning Easter; as also between pope Stephen and the African bishops, concerning baptism. And, if we look but into the histories of former times, what are they, but a continual narrative of certain disputes, that happened among the faithful, in every respective age? Have not Baronius, Natalis Alexander, Du Pin, &c., improved the world by their historical labours, wherein they publish not only the facts, but the pretensions, arguments, and politic methods of every contending party? And, indeed, the laws of history require such particulars. There can neither be pleasure nor profit, where an historian is no more than a mere journalist, and all those circumstances are buried in oblivion, whereby future ages might form their conduct, and avoid those rocks, which many have split upon. Now, a man must be an entire stranger to the methods of divine Providence, to take scandal at the common frailties, which are incident to human nature: nor do I believe any person of judgment will have a worse opinion of the Catholic cause, upon that account. What greater token can there be of a want

of good sense, than to draw disadvantageous consequences from men's passions, or from quarrels, that happen within the pale of the church? Considerate persons will rather improve themselves from such controversies, and admire the goodness and wisdom of Providence, which contrived to discover the fort and the foible of every cause, and yet make up differences, before they came to an open rupture. The only apprehension, therefore, particular persons of the Catholic communion can lie under, upon the present occasion, is, lest I should be partial in my decisions. I have no other way of giving content upon this head, but by providing myself with authentic records; being true to them; and so letting every one taste of the fruit of his own management. To reveal private intrigues, especially where morals are concerned, is the odious character of a libeller; but, when an historian ties himself up to public facts, and the rational claims of parties, which they themselves thought proper to assert and maintain, while the controversies were on foot, a very slender apology will justify his conduct; and a contrary behaviour will be censured, as a culpable omission, and an injudicious piece of scrupulosity.

Besides these imaginary difficulties, which proceed rather from a cavilling disposition, than from a true judgment of matters, I am, in the next place, to make mention of some others, which are inherent to the performance itself, and have somewhat of reality in them. I am told, in a friendly manner, that, after all the search I have made, the work will still be imperfect, and many persons left out, who have a right to be remembered. I own myself affected by this admonition; but it is not in my power to pleasure persons of so vast an expectation. If what I have done will

prove a handsome attempt, and an inducement to better performers, it is the utmost of my ambition. I am willing to sit down in the usual posture of a projector, to be improved and built upon by posterity. However, if I am to be charged with involuntary omissions, so far I own myself guilty.

Again, I have been put in mind, that my labours would have been much more valuable, had I taken in the lives of Protestants as well as of Catholics. But as my design was chiefly to entertain the reader with something new, and the lives of Protestant writers have been frequently published by other hands, it fully answered both my design, and the demands of the subject, if I confined myself to one party. Yet I have so far entered into those gentlemen's sentiments, that very many Protestants are taken notice of, in a satisfactory way, both as to their writings, as far as they were engaged with Catholics, and as to other matters. I was farther advised to produce vouchers, to support what I advanced, and justify my accounts by distinct and authentic quotations. This was a proper and seasonable insinuation. For quotations, in many cases, are not a mere compliment, but the strict duty of an historian; especially in an age, when the credit of authors runs so low, and bankruptcies, in point of veracity, are so very frequent. I might, indeed, plead the privilege of some late writers, Burnet, Echard, &c., who have ventured into the world, without the ceremony of quotations. But he, that has not the convenience of a party to support him, must appear better guarded. As to the thing itself, if I have a right notion of it, quotations may be either necessary or superfluous, according to the exigency of the subject. Some authors relate what happened in former times, others relate what happened

in their own time. Now both are upon the same terms, as to what regards vouchers. In both cases, an author is capable of imposing upon the world. All, in a great measure, depends upon the credit of the reporter, where authentic records are not produced. For a *hearsay* has no more weight, when it is taken from the mouths of the living, than when it is transcribed from the writings of the dead. What appears very reasonable, upon this occasion, is, to distinguish between notorious facts, which cannot be called into question, and such as are uncommon, surprising, or may be contested. In the first case, vouchers are a load of rubbish upon every page. What occasion is there for proofs, that the Spanish armada attempted this island in 1588? of the restoration in 1660? or the revolution in 1688? Suitably to these observations, I have not omitted quotations in general, or more distinctly, as the subject required; and have taken care to produce whole records, rather than that the point, to which they were a reference, should not be thoroughly understood.

If these considerations are judged sufficient, to procure me a protection from well-disposed readers, I shall be glad to embrace the favour. However, in some other cases, I find myself obliged to submit entirely, and acknowledge my insufficiency. The disadvantageous circumstances, which Catholics have lived under, since the Reformation, have rendered them incapable to furnish an author, so as to write with exactness upon their affairs. Some were afraid of making journals, lest they should fall into improper hands; and those, that have ventured to be curious in that way, have met with the usual fate, of having their papers lost, plundered, or so damaged, as to become unserviceable. Their learned

men, and missioners, by changing their names, have left us in the dark, as to their families, education, places of residence, and such like circumstances. I have taken no small pains to rectify some mistakes of this kind; but have left many more to the reader's indulgence. But as I can have no interest in committing errors of that nature, I may reasonably expect to be charged no farther with them, than what is customary.

What I have farther to add, are a few reflections concerning the title of this work, with a word or two of directions, to prevent the reader from mistaking my design. In the first place, I am charged with styling Protestants *Reformers;* whereas they ought not to be called Reformers, but *pretending Reformers:* also, with inserting several writers, who appear not to have been in communion with the church of Rome, and with taking the same liberty, as to some foreign divines, who, though they were in communion with Rome, had no right to be taken notice of, on the present occasion: in fine, that, where I pretend to give an account of pedigrees, I have not done it to satisfaction, omitting several families of note. These scruples offering themselves at my first drawing up the title of the work, I satisfied them within myself, upon the following reflections. I observed, those, that deserted the communion of the church of Rome, are pleased to give themselves the title of Reformers. Now, whether they really did reform the church, or only pretended to do it, is a matter of contest, I shall not directly engage in. In history and conversation, we commonly make use of such appellations, as will sufficiently distinguish persons and parties, without entering into the merits of the cause: and, as usurpers are treated with, in articles

of peace, upon the same foot with lawful sovereigns, so I was willing rather to follow that method, than detain the reader by trying titles. As for inserting persons of another persuasion and communion, I have, indeed, sometimes taken that liberty, especially during the struggle of the two parties, in the latter end of Henry VIII.'s reign, under Edward VI., and the first of queen Elizabeth. Religion, in those days, was in no fixed state. The old and the new were so blended together, both as to doctrine and practice, that, almost every month, it put on a new face. And when the Legislature was at a stand, where to fix the terms of communion, particular persons could not be very explicit in their belief. The generality of the people, in those days, by their complaisance and willingness to comply with every change, seem to have been of any religion, that was capable of securing their property; so that both Protestants and Catholics, by what I can find, had an equal claim to most of them. But as to the nicety of this enquiry, I shall let it pass; my purpose being to take notice of them only in an historical way. Many of them being persons of singular abilities and learning, I thought it more advisable to give them a place in these collections, rather than deprive the reader of the satisfaction of being acquainted with several particulars concerning them; without which, the story of those days would not be so fully understood. As to foreign writers, I found myself, now and then, obliged to take notice of them, upon account of a certain affinity they had contracted with the English Catholics, by their joint labours. What I have mentioned concerning pedigrees is altogether incidental. I touch them only as they fall in my way; and if I have omitted many families, and spoke with less exactness of others, it was because the matter was foreign to my main design.

To conclude: I have no occasion to acquaint the public, that they are not to expect from me, upon the present occasion, what most persons seem to be much delighted with,—I mean the entertainment of style and fine periods. For, as I have frequently been obliged to break off the thread of a discourse, and throw in the rubs of names, years, and quotations, this will be a considerable abatement to the pleasure, the reader might otherwise find in a smooth and uninterrupted story. However, the author and reader will fare alike. It has been porter's work, to make these collections; and I am sorry, that those I design to oblige, should share of the drudgery. Still, I am in hopes, this performance will come up to the demands of the title I have given it; and sufficiently answer both the expectation and the expense of the curious. I might allege, how imperfect all other attempts of this kind have been; whereas here, I offer a complete abridgment of the English Church History, of the two last ages; especially of what relates to Catholics. It will also serve as a key to Protestant historians, who frequently make mention of several persons; but either for want of proper records, or because they are not willing to be called off from the subject they are engaged in, leave the reader in the dark, as to several passages concerning them; which I have cleared up from memorials, they could not be favoured with. I also flatter myself, that matters of fact will be placed in a better light, than hitherto they have been by many of our historians, whether Catholics or Protestants, who have frequently imposed upon the credulous and unwary, by conjectures and partial insinuations.

A LIST of the Historians and Manuscripts made Use of by the Author.

CATHOLIC HISTORIANS.

Allen, William .....Apolog. pro Semin. Mont. 8vo. 1581.
Epist. de Daventriæ rend. Cracov. 8vo. 1538.

Allegambe, Philip .....De Script. Societ. Jes. *Antv.* fol. 1643.

Beccatelli, Ludovicus....Vita Cardinalis Poli. *Venet.* 8vo. 1563.

Bacon, Thomas .....Vindiciæ Nich. Smith. *Leodii*, 8vo. 1631.

Bagshaw, Christopher ..A Relation of the Faction in Wisbich, 4to. 1601.
Declaratio Motuum inter Jesuitas, &c. *Rhot.* 4to. 1601.
An Answer to Father Persons's Apology. *Paris*, 8vo. 1603.

Baily, Thomas .....Life of Bishop Fisher. *Lond.* 8vo. 1655.

Barnstaple, Obertus ....Defen. Mariæ Reg. Scot. *Colon.* 8vo. 1628.

Bartoli, Padre ....Histor. della Comp. de Giesu in Inglet. *Romæ*, 1667.

Barkley, John .....History of the Gun-powder Plot. *Oxon.* 12mo. 1634.

Barns, John .....Examen Trophæorum Bened. Angl. *Rhem.* 8vo. 1622.

Brichley, William.....The Christian Moderator. 1652. Three Parts.

Bombinus, Paulus .....Vita Edm. Campiani. *Antv.* 12mo. 1618.

Bossuet, Jaques.....Histoire des Variations, &c. *à Paris*, 8vo. 1688.

Bouchier, Thomas .....De Martyrio quorundam in Angl. *Paris.* 8vo. 1586.

Blount, Thomas.....Boscobel; or, King Charles II.'s Escape. *Lond.* 8vo. 1660.

Bridgwater, John .....Concert. Eccl. Cath. in Angl. *Trev.* 4to. 1594.

Campion, Edmund ....Narratio de Divortio. *Ingolst.* 8vo. 1602.

Carr, Thomas ..... Pietas Parisiensis. *Paris.* 8vo. 1666.

Carrier, Benjamin.....Missive to His Majesty. *Liege*, 4to. 1614.
Cavendish, Thomas ....Life of Cardinal Wolsey. *Lond.* 1590.
Cellier, Elizabeth .....Malice defeated. fol. 1680.
Champney, Anthony ....A Letter to a Disjesuited Gentleman. 4to. 1602.
Chauncey, Maurice ....Hist. Martyr. nostri Sæculi. *Colon.* 8vo. 1608.
Colleton, John .....A just Defence of slandered Priests. 4to. 1602.
Con, George .....Vita Mariæ Stuart Reg. *Romæ*, 8vo. 1624.
Davenport, Christopher..Hist. Provinciæ Min. Angl. *Duaci*, 1671.
Supplementum ejusdem Hist. *Duaci*, 1672.
Dempster, Thomas.....Hist. Eccl. Gent. Scot. *Bononiæ*, 4to. 1627.
Ely, Humphrey.....Notes on Father Persons' Apology, 8vo. 1602.
Eudæmonjoannes .....Apolog. pro Hen. Garneto. *Colon.* 8vo. 1610.
Fenn, John .....Vitæ Martyr. in Angl. *Colon.* 1594.
Fitzherbert, Nicholas....Vita Card. Alani. *Romæ*, 8vo. 1608.
Fitzherbert, Thomas ....A Defence of the Catholic Cause. *St. Omers*, 4to. 1602.
Floyd, John .....Apolog. Sedis Apost. *Rhotom.* 8vo. 1631.
Spongia contra Decretum Sorbonæ.
An Answer to the Bishop of Chalcedon's Instructions.
Gennings, John.....The Life of Edmund Gennings. 4to. 1617.
Good, William .....Eccl. Angl. Trophæa. *Romæ*, 1584.
Grand, Joachim le ....Histoire du Divorce, &c. *à Paris*, 3 vol. 8vo. 1688.
Harpsfield, Nicholas....Dialogi sex. *Antv.* 4to. 1566.
Historia Eccl. Angl. *Duaci*, fol. 1622.
Hodgson, John .....The Life of Sir Thomas More. *Lond.* 8vo. 1602.
Holland, Hugh .....Horologia Angl. 1620.
Keep, Henry .....Monumenta Westm. *Lond.* 8vo. 1682.
Leech, Humphfrey.....Triumph of Truth. *Doway*, 8vo. 1609.
Lesley, John .....De Jure Successionis apud Scot. *Rhem.* 1580
Leyburn, John .....An Encyclical Answer. *Doway*, 4to. 1661.
An Account of his Agency in Ireland. *Lond.* 8vo. 1722.
Lilly, George.....Eulogia Viror. Illustr. *Venet.* 8vo. 1548.
Lutton, Edward .....The Life of Mr. Carr. *Paris*, 1674.
Mason, Father .....Certamen Seraphicum. *Duaci*, 4to. 1649.
Mayhew, Edward.....Congr. Angl. Bened. Trophæa. *Rhem.* 1619.
Miræus, Aubertus.....Vitæ Script. Belg. *Antv.* 1609.
More, Thomas .....The Life of Sir Thomas More. 8vo. 1627.

Moor, Henry.....Hist. Missionis Angl. Societ. Jesu. fol. 1666.
Orleans, Father.....Histoire des Revol. d'Angl. *à Paris,* 1693.
Palmer, Roger .....The Catholic Apology. 8vo. 1674.
Persons, Robert .....The three Coversions of England, 8vo. 1604.
A Review of Ten Disputations. 8vo. 1604.
A Discovery of John Nichols. 8vo. 1581.
Epist. de Persecut. Angl. *Romæ,* 1582.
Resp. ad Edictum Reginæ. *Romæ,* 8vo. 1593.
A Treatise of Mitigation. 4to. 1607.
Pattenson, Matthew ....Jerusalem and Babel. 8vo. 1653.
Petreius, Theodorus ....Bibliotheca Carthusiana. *Colon.* 8vo. 1609.
Philip, Morgan .....A Defence of Mary Queen of Scotland. *Liege,* 8vo. 1571.
Pin, Ellis du.....Biblioth. Ecclesiast. *Paris.* 1698.
Pitts, John.....De illust. Angl. Script. *Paris.* 4to. 1619.
Possevinus, Antonius....Apparatus Sacer. *Colon.* fol. 1608.
Proctor, John .....History of Wyat's Rebellion. 1555.
Pugh, Robert.....Elenchus Elenchi against Dr. Bates. *Paris,* 8vo. 1664.
De Angl. Cleri Observantia, &c. *Paris.* 1659.
Pulton, Andrew.....A Conference with Dr. Tennison. 1687.
Reformation, History of the, Anonymous. 8vo. 1685.
Reyner, Clement.....Apostolatus Benedict. in Ang. fol. 1626.
Ribadeneira, Petrus ....De Script. Societ. Jesu. *Lugd.* fol. 1609.
Hist. del Schis. in Ingl. *Madrid,* 1595.
Roper, William .....The Life of Sir Thomas More. *Oxford,* 1717.
Rushton, Edward .....Hist. Rerum in Turri Londinensi. 1585.
Salmonet, Robert .....Hist. de Troubles d'Angl. *à Paris,* 1661.
Sanders, Nicholas.....De Schism. Angl. *Colon.* 8vo. 1585.
Senensis, Antonius ....Biblioth. Ord. Præd. *Paris.* 8vo. 1585.
Smith, Richard.....Prudential Ballance. 8vo. 1609.
Southwell, Nathaniel ..Biblioth. Script. Societ. Jesu. *Romæ,* fol. 1676.
Stapleton, Thomas.....De Tribus Thomis. *Duaci,* 8vo. 1588.
Stanyhurst, Richard....De Rebus Hibern. *Antv.* 1584.
Stafford's .....Memoirs. 1681.
Stevens, Captain .....Dugdale's Monasticon abridged. 1718.
Touchet, George .....Historical Collections. *Lond.* 8vo. 1687.
Valerius, Andreas.....Fasti Acad. Lovan. *Lovan.* 8vo. 1650.
Biblioth. Belg. *Lovan.* 8vo. 1623.
Walsh, Peter .....The Irish justified, &c. 8vo. 1661.
Ward, Thomas .....England's Reformation. 4to. 1700.
Watson, William .....Important Considerations. 4to. 1601.

Watson, William .....Decachordon of Ten Quodlibets. 4to. 1602.
White, John .....Diacosio-Martyrion. *Lond.* 1556.
Woodhead, Abraham....An Account of the English Reformation. *Oxford*, 1687.
Worthington, Thomas ..De Origine Seminariorum. 8vo. 1612.
Yepes, Diego .....De la Persecut. de Inglat. *Madrid*, 1599.

PROTESTANT HISTORIANS.

Baker, Richard.....Chronicles. Fol. 1684.
Bale, John.....De illust. maj. Brit. Script. *Wesel.* 1549.
Bernard, Nicholas.....The Life of Bishop Usher. 1656.
Barwick, John .....The Life of Bishop Morton. 1669.
Bates, George .....Elenchus Motuum in Angl. 1649.
Bates, William .....Vitæ Select. Viror. *Lond.* 4to. 1681.
Brady, Robert .....History of England. 1685.
Buchanan, George.....Hist. Rer. Scot. *Edinb.* 1582.
Burnet, Gilbert .....History of the Reformation. 1679.
History of his own Time.
Camden, William .....Annales Elisab. 1692.
Britannia. *Lond.* 1594.
Cecil, Lord Burleigh ....Execution of Justice, &c. 1583.
Chaloner, Thomas.....Viror. illust. Encomia. 1579.
Clark, Samuel .....Lives of Eminent Persons. Fol. 1683
Clarendon, Lord .....History of the Civil Wars. 1707.
Collier, Jeremy .....Ecclesiastical History. 1708.
Dugdale, William .....Monasticon Angl. 1661.
History of Warwickshire.
English Baronage. 1676.
Featley, John.....Life of Daniel Featley. 1660
Foulis, Henry .....History of Popish and Presbyterian Plots. 1662.
Fox, John .....Acts and Monuments. 1632.
Freherus, Paulus .....Theatr. Viror. Clar. *Norimb.* 1688.
Fuller, Thomas .....Church History.
History of Worthies. 1662.
Gee, John .....Foot out of the Snare. *Lond.* 4to. 1624.
Godwin, Francis .....De Præsulibus Angl. 1616.
Hall, Edward .....Annals since Henry VIII.
Chronicles. Fol. 1548.
Harrington, John .....A brief View of the Church of England. 1653.
Herbert, Edward .....The Life of Henry VIII. *Lond.* 1672.
Heylin, Peter.....History of the Reformation. Fol. 1661.

Heylin, Peter.....Life of Archbishop Laud. 1668.
Examen Historicum. *Lond.* 8vo. 1659.
Help to History. *Lond.* 1641.
Hollingshed, Raphael ..Chronicles. 1577.
Humphreys, Laurence ..Vita. Joh. Juelli. 8vo. 1573.
James, Thomas .....Eclo-Oxon-Cantabr. *Lond.* 1600.
Life of Father Persons. *Oxon.* 1612.
Johnston, Nathaniel ....King's Visitatorial Power. 1688.
Assurance of Abbey-Lands. 1687.
Langbain, George .....Life of Sir John Cheek. *Oxon.* 1641.
Langbain, Gerard .....Account of Dramatic Poets. *Oxon.* 1691.
L'Estrange, Roger ....History of the Plot. 1680.
Legenda Lignea.....Account of Converts to the Church of Rome. 1653.
Lewis, Owen .....Running Register of Papists abroad. 1626.
Catalogue of Colleges and Monasteries abroad. 1629.
Mason, Francis.....Consecration of the Church of England vindicated. 1613.
Munday, Anthony.....English Roman Life. *Lond.* 4to. 1590.
Nalson, John .....Historical Collections. 1683.
Newton, Thomas .....Illust. Viror. Encomia. *Lond.* 1589.
Nevil, Andrew .....De Furore Norfolcium Duce Ketto. 1575.
Nicholson, William ....English Historical Library. 1714.
Nowel, Alexander.....Conference with Campion. 1581.
Parker, Matthew .....Antiq. Eccl. Britan. 1572.
Philips, Edward .....Theatr. Poetarum. 1675.
Pope's Nuncio, ...or Panzani's Negotiations. *Lond.* 4to. 1643.
Reynolds, John .....Conference with Mr. Hart. *Lond.* 4to. 1588.
Rushworth, John .....Collections, in 8 vols. 1692.
Sanderson, William ....Life of Queen Mary and King James I. 1656.
Shirley, John.....Life of Sir Walter Raleigh. *Lond.* 8vo. 1677.
Simler, Josephus .....Vita Petri Martyris. *Tigur.* 1563.
Spelman, Henry.....De non Temerandis Ecclesiis.
Speed, John.....Chronicles. 1631.
Sprat, Thomas.....History of the Presbyterian Plot. 1685.
Storer, Thomas .....Life of Cardinal Wolsey. *Lond.* 4to. 1599.
Stow, John.....Chronicles. 1631.
Stranguage, William ....Life of Mary Queen of Scots. 1624.
Strype, John .....Memoirs of Cranmer. Fol. 1694.
Life of Archbishop Parker. 1711.
Life of Archbishop Grindal. 1710.

Tanner, Thomas .....Notitia Monastica. *Oxon.* 8vo. 1695.
Tyrell, James.....History of England. 1697.
Udall, William .....Life of Mary Queen of Scotland. *Lond.* 8vo. 1636.
Wadsworth, James.....English Spanish Pilgrim. 4to. 1630.
Walton, Isaac .....Life of Richard Hooker.
Walker, Clement .....History of Independency. *Lond.* 4to. 1648.
Weaver, John.....Funeral Monuments. *Lond.* Fol. 1631.
Weldon, Anthony.....Court of King James I. 1651.
Wharton, John .....Specimen of Errors in Burnet. 1693.
Whitehead, David.....Account of the Troubles, &c. in Frankfort. 1575.
Wilson, Arthur .....Life of King James I. 1653.
Winstanley, William....Lives of English Poets. 1687.
Wood, Anthony .....Athenæ Oxonienses. 1721.
Hist. et Antiq. Univ. Oxon.

MANUSCRIPTS.

Allen, William .....Original Letters to and from him.
A long Letter to Father Chauncey, a Carthusian.
Instructiones ad Dr. Vendeville.
Facultates concessæ a Gregorio XIII.
Oratio funebris in obit. Alam. Romæ.
Barberini, Cardinal ....Original Letters to Dr. Gage, &c.
Bell, Thomas .....Information against Roman Catholics in 1591. Folio.
Benedictine Monks.....Reasons against their settling at Doway.
Jesuits' Informations against them.
Letters of Benedictines concerning Bishops.
Birket, George, Archpr...Instructions concerning Doway College.
Letters to Father Persons, and others.
Bishop, William.....Original Letters and Papers.
Bishops,.....A List of Priests who petitioned to have Bishops.
Another List to the same purpose.
Blond, Richard, a Jesuit..Letters to Panzani and others.
Brussels.....Account of the Benedictine Nuns' Foundation. Diary.
Button, Richard.....A discourse concerning Abbey Lands.
Cajetan, Cardinal .....Original Letters to several Persons.

Carrier, Benjamin.....Original Letters to and from him.
From Cardinal du Perron.
From Isaac Casaubon.
From Mr. Trumbal, Envoy in Flanders.
From Sir Thomas Lake, Secretary of State.
Dr. Carrier to the Archbishop of Canterbury.
Chalcedon, Bishop of....De Orig. Controv. cum Regularibus.
Treatise in French of his Jurisdiction.
Treatise in English of the same Subject.
Chapter, English .....Arguments in defence of the Chapter.
Chapter's Power asserted.
Clanricard, Earl .....Letter to Sir John Winter.
Clergy, Secular.....Their Reasons for the Spanish Match.
Summarium Postulationum contra Regulares.
Origo Desidii inter Clerum et Jesuitas.
Supplicatio ad Urban. VIII. tradita Panzani.
Clement VIII., Pope....Original Briefs and Letters.
Clement XI., Pope.....Original Briefs and Letters.
Clifford, William .....Original Letters and Papers.
Colleton, John .....Original Letters and Papers.
Cosens, John, Bishop of *Durham*. Original Papers of the Form of Ordination.
Daniel, Edward.....Original Letters to the Bishop of Chalcedon.
Treatise of Controversies, in fol.
David, Father, a *Benedictine* Monk. Reasons against Bishops in England.
Doway, College.....Diary of the House, 2 vol. fol.
Original Letters concerning Jansenism.
Dunkirk.....Foundation of the Benedictine Nuns. Diary.
Foundation of the poor Clares. Diary.
Elizabeth, Queen .....Account of an Insurrection in the North.
Ellis, Philip, Bishop....Original Letters to several.
England.....Status Ecclesiæ expulso Chalced. Episcopo.
Divisio Angl. in distr. per Chalced. Episcop.
Characters of eminent Catholics in 1635.
Status Relig. Cath. in Angl. anno 1632.
Dispositiones pravæ ante Reformationem.
Discourse upon the Succession after Queen Elizabeth.
Englefield, Sir Francis ..Original Letter to Dr. Allen.
Evans, Philip .....Account of his Death.
Exemptions.....Of Regulars in England before the Reformation.

Fane, Maurice, a Spy of Walsingham's, his Confession.
Felton, John .....His Daughter, Mrs. Salisbury's, Account of him.
Fizherbert, Thomas ....Several Original Letters to Mr. Birket, Archpriest.
Fitton, Peter .....Original Letters to several Persons.
Gage, Francis .....Original Letters to several Persons.
Diary of his Life, in his own hand.
Garnet, Henry .....Account of his Death, by an Eye-witness.
Ghent .....Foundation of the Benedictine Nuns. Diary.
Godwell, Thomas, Bishop of St. Asaph, Original Letter to Dr. Allen.
Goter, John ....Original Papers and Letters.
Green, Hugh .....Account of his Death, by an Eye-witness.
Gregory XIII. Pope ....Original Briefs and Letters.
Gregory XIV. Pope ....Original Letter to Cardinal Allen.
Hales, Sir Edward ....Original Letters to the Duke of Tyrconnel.
Heywood, Father .....Custom of Feasts and Fasts in England before the Reformation.
Howard, Philip, Cardinal, Original Letters to and from him.
Hurst, Richard .....Account of his Death, by an Eye-witness.
James II. King of England, Letters to Pope Innocent XI. concerning Father Petre and the Earl of Castlemain; with the Pope's Answers.
Jesuitesses .....Mr. Godfather's Account of them.
Jones, Robert, Jesuit ....Original Letters to Mr. Birket, Archpriest.
Kellison, Matthew .....Letters to and from him.
Latham, Francis.....Account of his Examination, by himself; and of his Death, by an Eye-witness.
Lesley, William .....Original Letters from Rome, concerning the Pope's Vicars in England.
Lewis, Owen .....Original Letters to Dr. Allen.
Leyburn, George.....Original Letters to several Persons.
Lisbon.....The English Ambassador's Reception in that Court.
Lisbon College.....Account of its Foundation.
Lloyd, John.....Account of his Death.
Lovain .....Foundation of the Augustin Nuns. Diary.
Maestro, Padre .....Reasons for his being made choice of for the Episcopal Dignity in England.
Mary, Queen of England, Narratio de Partu ejus, ann. 1629.
Her Letters in favour of the Bishop of Chalcedon.
Martyr, Peter, ...A Letter to Bullinger, intercepted.

Mayne, Cuthbert .....His Trial and Death.
Melfort, Earl.....Original Letters to Sir Edward Hales.
Middleton, Anthony ....Account of his Death.
Montague, Walter.....Original Letters to and from him.
Musket, George.....Account of his Trial, by himself.
Napier, George.....Account of his Death.
Navarr, Martinus.....Sententia ejus de Juramento Seminariorum.
Newman, William.....Letters to Father Blackfan, a Jesuit, concerning Lisbon College; with Father Blackfan's Answers.
Nuncios of Popes .....Original Letters to several Persons.
Panzani, Gregory .....His Agency in England, in twenty sheets, in 1635.
Letters to and from him.
Persons, Robert.....Twenty-seven Original Letters to Mr. Birket, Archpriest.
Paris.....Foundation of St. Gregory's Seminary. Diary.
Foundation of the Augustin Nuns. Diary.
Foundation of the Benedictin Nuns. Diary.
Foundation of the Conception Nuns. Diary.
Paulucius, Cardinal ....Original Letters about the Charge of Jansenism against Doway College.
Pontoise.....Foundation of the Benedictin Nuns. Diary.
Pole, Cardinal .....Original Letters and Despatches, in 4 vol. fol.
Plunket, Bishop.....Letters to Mr. Corker, with Mr. Corker's Answers.
Regulars .....The Archpriest and his twelve Assistants' Remonstrance concerning Regulars.
Rigby, John.....Account of his Death.
Roberts, John.....Account of his Death.
Roman College of English, Account of its Revenues.
De corrupta ejus Administratione.
Concordia Scholarium cum Jesuitis.
Disturbance in the College, ann. 1623.
Rules of the Roman College.
Petition of the Priests and Students.
Rouen.....Foundation of the poor Clares. Diary.
Sherwood, Robert, Benedictin Monk, Account of the Jesuits' Government.
Sixtus V. Pope.....Original Briefs and Letters.
Smith, Richard, Bishop of Chalcedon, Original Papers and Letters.
Foreign Ambassadors' Letters concerning him.
His Case stated, by himself.

Style, Henry .....Account of fifteen Priests executed, in nineteen sheets.
Suarez, Francis.....His Opinion of the Jesuitesses.
Tournay College in Paris, History of its Rise and Decay.
Tregian, Francis.....His Life, Trial, and Sufferings, in ten sheets.
Tyrconel, Duke.....Original Letters to Sir Edward Hales.
Valladolid .....De Regimine Collegii Angl. Vallisoleti.
Res ejus ab anno 1616, ad annum 1621.
West, Nicholas, Bishop of Ely, Letter of the Prior of the Carthusians to him.
Westmorland, Earl .....Original Letter to Dr. Allen.
White, Thomas .....Original Letters to several Persons.
His Instructions when Agent at Rome.
Original Subscription of the Clergy against his Doctrine.
Wilson, Henry .....Account of his Death.
Winter, Robert .....Information against Dr. Champney.
Wisbich Castle .....Articles proposed to the Priests in Prison.
Account of the Quarrel between the Clergy and Father Weston, a Jesuit.
Witham, George.....Queen Mary's Letter to the Pope, in his Praise.
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THE

History and Antiquities

OF THE

TOWN AND CASTLE OF ARUNDEL,

INCLUDING

THE BIOGRAPHY OF ITS EARLS,

FROM THE CONQUEST TO THE PRESENT TIME:

By the Rev. M. A. TIERNEY, F.S.A.

CHAPLAIN TO HIS GRACE THE DUKE OF NORFOLK.

"When we say that more than one half of this work is Biography, and that Biography immediately connected with the general history of England, it will be perceived that this is a work of a more attractive character, than can generally be assigned to topography.....and we may conclude with the observation, that the lover of historical biography may consider that year fortunate, which has produced two such excellent works, as Wiffen's Memoirs of the House of Russell, and Tierney's Biography of the Earls of Arundel."—*Gentleman's Magazine.*

THE

CHURCH HISTORY

OF

ENGLAND.

PART I.

ARTICLE I.

A GENERAL IDEA OF THE STATE OF THE CHURCH, UNDER THE BRITONS, SAXONS, AND NORMANS, FROM THE FIRST CONVERSION, TILL THE BEGINNING OF THE SIXTEENTH CENTURY.

CENT. I. It is observed both by historians and moralists, that there seldom happened any considerable alteration either in the management of public affairs or private life, without some previous matters which disposed mankind, and made them susceptible of such impressions. Upon this reflection, I am induced to believe, that it will neither be unseasonable, nor displeasing to the reader, if I give him an idea of the state of ecclesiastical affairs in the British, Saxon, and Norman reigns, where he may meet with an account of some controversies, which very probably might be a kind of introduction to that surprising revolution, which happened in the reign of king Henry VIII, and, by comparing times past with those present, be more capable of judging of the equity of the cause.

The British records being very imperfect, all we can gather from thence is, that this island was acquainted with the truths of the christian religion in the earliest times,

or apostolic age;[1] but through what channel this happiness was derived, is not distinctly made appear by any of our historians. Some are pleased to conjecture, that Saint Peter, when he was upon his mission in the west, passed over into Great Britain;[2] others imagine, that we once were favoured with a visit from Saint Paul.[3] And again, there are those who give us the names of some that were disciples to the Apostles; and who, as it is pretended, were sent hither as missioners of the gospel.[4] But the best attested account is, that Saint Joseph of Arimathea, with several companions and fellow-labourers, laid the foundation of the first christian church of this island, at Glastonbury, in Somersetshire, as both ancient monuments, the tradition of the British and Saxon churches, and the generality of our historians, both ancient and modern, do give testimony.[5] But whatever may be alleged in proof of these particulars,

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[1] Certum tamen est, Britannos in ipsâ Ecclesiæ infantiâ Christianam religionem imbibisse. Camd. Brit. p. 45. in Edit. 1594.

[2] See Metaphrastes, Baronius, Alredus, and Innocent I, cited by Persons, Three conversions, i. 19—21. It is insinuated also by Gildas, ed. Gale, iii. 31. Euseb. Hist. Eccl. l. 2. c. 11, 13; S. Epiph. Hæres. 27; and Stowe, Annal. p. 34.

[3] Transiit oceanum, vel qua facit insula portum,
Quasque Britannus habet terras, quasque ultima Thule.
Venant. Fortun. in vita S. Martini, l. 3.

That St. Paul preached in Spain, and in the West, is affirmed by Clemens (Epist. ad Corinth.), St. Jerome (in Amos, c. 5. v. 7), Theodoret (Tom. iv. Serm. 9), Epiphanius (Hæres. 27. p. 6), SS. Athanasius, Cyril of Jerusalem, Chrysostome, Gregory the Great, &c.

[4] Dorotheus (in Synopsi), Nicephorus (l. 2. c. 40), and the Greek Menology, (apud Baron. in 15 Martii et 28 Octob.), name Aristobulus and Simon Zelotes. [It is right, however, to observe, that, as far as St. Simon is concerned, these authorities are contradicted by the Roman Martyrology, by Bede, Usuard, Ado, and others.—*T.*]

[5] See Malmsb. de Antiq. Glaston., Usher de Brit. Eccl. prim. (p. 1—30), Baronius, Bale, and the charters printed in Harpsfield (p. 3.), and Dugd. Monast. (i. 11, 13). "In hac (Somersetshire) floruit Monasterium Glastonbury, quod admodum antiquam repetit originem, a Josepho scilicet Arimathensi illo, qui Christi corpus Sepulchro mandarat, quemque Philippus, Gallorum apostolus, in Britanniam misit, ut Christum predicaret. Hoc enim et antiquissima hujus monasterii monumenta testantur, &c.: nec est cur hac de re ambigamus," (Camd. Brit. p. 162, ed. 1594).

[However, notwithstanding this authoritative assertion of Camden, the story of St. Joseph's connexion with Glastonbury, like the other legends mentioned in the text, is now universally rejected. I may add, that Leland, who, in the former edition of the present work, was cited as an authority in its favour, expressly says that he disbelieves it. "Duce quodam Josepho, *sed non illo, nisi ego plurimum fallor, Arimathiano.*" De Script. Brit. p. 20. in Meduino et Elvano.—*T.*]

and whether all, or only some of them, performed their mission among us (either of which may be maintained without any inconsistency), it is an easy matter to account in general for the means, whereby we might come to the knowledge of the true faith, in those early times. For in those days, as the Roman History informs us, there was a continual correspondence between Great Britain and Rome, to which city the Britons were sometimes carried prisoners, whilst others travelled thither out of curiosity, and many were obliged to appear there to transact the affairs of their nation with the Romans, to whom they were become tributary. Now, as there were a great many christians at that time in Rome, among whom some were persons of distinction, and belonged to the court,[1] the Britons, that resorted thither, could not want an opportunity of being informed of the christian religion. But whoever was the first planter of christianity among us (which in itself is no very material point), I cannot but take notice of the motives, which have induced some writers to make choice of one opinion rather than another. Some are willing to deprive Saint Peter of the glory of this work, out of a particular respect they have for his supremacy, and for fear they should become indebted to the see of Rome upon that account. The like inducement they have, not to allow of the story of Saint Joseph of Arimathea; so early an instance of monastic discipline not being very consistent with the economy of our modern churches, who style themselves reformed. They seem more disposed to give the honour to Saint Paul, or any other apostolic preacher, where they do not lie under the like apprehensions.

To proceed to the second century. We may very rationally suppose, that those, who came over to plant the gospel in this island, made some sort of progress, so far as to instruct several particular persons and

CENT. II.

[1] See Tacitus, Annal. lib. 12, Martial, lib. xi. Epigr. 54, and lib. iv. Epigr. 13, and S. Paul, 2 Tim. iv. 21, who mentions Pudens and Claudia, the same persons, probably, whose marriage is celebrated by Martial. In his epistle to the Philippians (iv. 22), the apostle speaks of the brethren "de domo Cæsaris."

families; nay, we have very good grounds to think, from what happened not long after, that the generality of the inhabitants had conceived a favourable opinion of the christian religion from the preaching and behaviour of those holy labourers. For in this age, a British king, called Lucius, sent agents to Eleutherius, bishop of Rome, upon the subject of his conversion, which was effected by Fugatius and Damianus, and other preachers who were appointed for that work; by whose means, not only king Lucius was reconciled to the christian faith, but it was attended with a kind of general conversion, and an Ecclesiastical Hierarchy was established under the direction of bishops and inferior clergy. All this is attested by ancient monuments, good authentic history, ancient and modern, and the constant tradition of the British church;[1] and questionless, the ancient fathers, Tertullian, Origen, and Theodoret, had a regard to this conversion, when they signified, that Great Britain had embraced the christain religion before their time.[2] Indeed, our ancient historians are

[1] Cum Eleutherius, vir sanctus, pontificatui Romanæ ecclesiæ præesset, misit ad eum Lucius, Britannorum rex, epistolam, obsecrans, ut per ejus mandatum christianus efficeretur. Et mox effectum piæ postulationis consecutus est. Bede, l. 1, c. 4. See also Gildas, p. 11, Nennius, c. 18, p. 103, the Ancient Book of Landaff, apud Dugd. Monast. III. 188, Caius' Hist. of Cambr., the Author of the Antiq. Brit., Usher de Primord. Eccl. Brit., Leland, Bale, the Saxon and Norman Historians in general, and Godwin de Præsul. in the life of Paulinus, Archbishop of York. "It cannot be denied," says Fuller, "but Eleutherius, bishop of Rome, at the request of Lucius," &c. (Church Hist. l. 1. p. 10). "This account seems to have been the original tradition of the British church." (Collier, Eccl. Hist. i. 13). "That there were British Bishops in Lucius's time, is without question." (Id. p. 14).

[To elude the argument, suggested by this transaction, in favour of the papal supremacy, the last writer says, that "a bishop being fixed at Rome, the twelfth in succession from the apostles," the application of Lucius was prompted, not by "any opinion of a supremacy, settled by St. Peter on the bishop" of that see, but, in all probability, by the reflection, that "the christian religion was taught there without mixture or sophistication." (I. 17). Of the precise motives, which influenced the conduct of Lucius on this occasion, we can know nothing. The facts, however, remain undisputed; and from them we learn, 1st, that he applied, not to the neighbouring prelates of Gaul, but to the more distant bishop of Rome; 2nd, that he obtained his spiritual instructions from the Roman see; and 3rd, that, of course, the religion, which he embraced, was the religion taught and practised among the christians of the Roman capital.—*T.*]

[2] Britannorum inaccessa Romanis loca, Christo verò subdita (Tertul. contra Judæos, n. 7). Virtus Domini Salvatoris et cum his est, qui ab orbe nostro in Britannia dividuntur (Origen, Homil. 6. in Luc. 1). Ταύτη (πίστει) σύμψηφοι τυγχάνουσιν πᾶσαι αἱ κατα τόπον ἐκκλησίαι, αἵ τε κατα τὴν Σπανίαν καὶ Βρεττανίαν καὶ Γαλλίας, κ. τ. λ. Theod. Hist. Eccl. lib. 4. c. 3.

very concise in the account they give of king Lucius; but Geoffrey of Monmouth, an historian of the twelfth century, has given us many particulars. He tells us, that, in king Lucius's time, there were founded three archiepiscopal, and twenty-eight episcopal, sees, and that the former were placed at London, York, and Caerleon, with some other particulars not to be met with in any historian before his time. I own, Geoffrey Monmouth's credit is but very indifferent among the critics; yet we are not to quarrel with the substance of a fact (in which he agrees with others of good reputation) upon account of his superstructures. Besides, Geoffrey Monmouth has his advocates, as well as antagonists, in many points, wherein the critics call his veracity and judgment into question. And as to the present case, concerning his additions to the account of king Lucius, it may be alleged in his favour, that he quotes Gildas, whose works are now lost, as Gildas himself complains, that the records of the British church were in a manner all lost or destroyed before his time.[1] Again, the three cities Geoffrey Monmouth makes mention of, being episcopal sees of the largest jurisdiction in the ensuing ages, and several ages after, is a circumstance favouring the account he gives of them: and both Gildas and Bede, speaking of twenty-eight cities among the Britons, though they do not call them episcopal sees, is another circumstance, not to be disregarded by those, who pretend to expose Geoffrey Monmouth as a fabulous writer.[2] But what grounds soever this historian might have for

[1] Scripta patriæ, scriptorumve monumenta, si quæ fuerint, aut ignibus hostium exusta, aut civium exulum classe longius deportata, non comparent. De Excid. Brit. p. 10.

[Matthew Westminster, who adopts the account given by Geoffrey, has preserved the title of Gildas's work, from which it was evidently taken. Speaking of Fugatius and Damianus, the missionaries sent from Rome at the request of Lucius, he says, "Istorum autem nomina et actus in libro reperiuntur, quem Gildas historicus *de Victoriâ Aurelii Ambrosii* conscripsit." Ad. an. 186.—*T.*]

[2] Gildas (p. 9), Bede (l. 1. c. 1), Nennius (c. 2), and Usher (in Primord. p. 59), mention the twenty-eight cities of Britain. [Alford, however, though he strenuously supports Geoffrey's account, understands, not that twenty-eight bishoprics were actually erected at this time, but that a plan for their future erection was now adopted (annal. i. 157—160). Certainly, this interpretation divests the story of much of its improbability.—*T.*]

the particulars mentioned, he deserves credit, where he stands not alone as to the substance of his account, which some are pleased to attack from very weak conjectures. For instance, they would be informed, whether Lucius was sole monarch of Great Britain, or only one of the petty princes? If the first, how is this consistent with the Roman history, which tells us, that, in those days, the island was subject to the emperor? If the latter, what authority could a petty prince have to establish christianity, in provinces where he had no jurisdiction? Again, say they, is it credible that either the Britons or the Romans, who were generally Heathens, would suffer so universal a change in their religious worship? The insignificancy of these exceptions will appear manifestly from what all persons are supposed to judge, in cases of the like nature. Are historical facts, well supported in the main, to be rejected entirely, because they do not tally with our idle speculations, or because we cannot be fully informed of every circumstance that attended them? Every historian is not disposed to trouble the world with particulars; many records are lost, wherein those particulars are mentioned, and it is by both these ways that we are deprived of a more satisfactory account, concerning the conversion of this kingdom under king Lucius, though the story in substance is incontestable. If I may be permitted to supply all defects, by conjectures which may be naturally made upon the story, there is no inconvenience in allowing king Lucius to be sole monarch of Great Britain, who, at the same time, might be tributary, and under subjection to the Romans; for such kind of governments always were, and still are, in use in all parts of the world. But in case Lucius was only a petty prince (which seems most probable, according to the account which Julius Cæsar and other Roman historians give of the British government), he might make use of his interest to propagate the gospel in other petty kingdoms, where he had no jurisdiction, especially if other princes were as well disposed as himself; a thing we may rationally suppose, considering that they came into his

measures. I own, we are not able to satisfy every critic's curiosity, how those matters were brought about, yet we may be sure it was a work of time. Historians often bring things into a small compass, and a few lines contain what was half an age before it could be brought to perfection. And though, upon such occasions, the circumstances of time, place, and persons are omitted, they are always to be supposed. And as to this point, there is nothing particular in the conversion of the Britons; many other nations are unprovided with records, that can give a distinct account of the first planting of christianity among them. From hence we may easily return an answer to the last query, how the Britons and Romans, who were heathens, can be thought to have suffered such a public alteration in their religious worship? For it is probable that king Lucius, and the rest that concurred with him, did meet with some opposition, as we find there was great opposition when the gospel was planted at Jerusalem, Antioch, and Rome; but we have grounds to think circumstances were more favourable, when king Lucius attempted that great work. The Britons were well disposed to receive the gospel; and as for the Romans, they were not so solicitous about the religion, as the riches and possessions, of the inhabitants. Besides, at that time, A.D. the emperor had set forth an edict in favour of 176 christianity, which he was induced to, upon account of a remarkable victory he had obtained by the courage and prayers of the christian soldiers that were employed in his wars; of which ancient writers, both heathens and christians, give a particular account.[1]

The christian religion having thus got an estab- CENT. lishment in this kingdom, in the second century, it III, IV. met with no interruption during the next age, as Gildas and Bede relate, where they tell us, that the persecution under Dioclesian, which began about the beginning 303 of the fourth century, raged furiously in the

[1] Xiphilin in Dione, vit. Marc. Aurel.; Eusebius, Hist. lib. v. c. 5; Greg. Nyss. Oratio 2 in 40 Martyr.; Tertul. Apol. c. 5. ad Scapulam, c. 4.

British church, and carried off those eminent professors of christianity, St. Alban, Julius, Aaron, Amphibalus, &c.[1] Bede, who seldom toucheth upon the British affairs (his design being only to write the Saxon history), has yet given us some particulars concerning Saint Alban, especially of the miracles that were wrought at his execution, viz. that the executioner's eyes dropt out, upon which he became a christian; that a river was dried up for the people to pass over; that a fountain sprung up at his feet where he knelt down to pray, before his execution. The account of these British martyrs is mentioned and approved of by the best historians of our country, both ancient and modern.[2]

"This relation of St. Alban's martyrdom," says Collier, "which Bede has inserted in his Ecclesiastical History without making the least question of the authority, used likewise to be read, upon St. Alban's anniversary, in the English church, before the Norman conquest, as appears by the Saxon copy in the Cambridge edition of Bede"..... "It agrees exactly with a very ancient account, written in the Verulamian, or British language, as Matthew Paris informs us. The account, translated out of British into Latin by one Unwo, a priest, may be seen in archbishop Usher, who likewise takes notice of an old inscription, dug up in St. Alban's church, in the year 1257, with these words: 'In this mausolæum was found the venerable corpse of St. Alban, the protomartyr of Britain.'[3] This inscription upon a leaden plate is thought to have been made in the reign of king Offa.

"The miracles of a fountain breaking out at St.

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[1] Quæ (præcepta), licet ab incolis tepide suscepta sunt, apud quosdam tamen integre, et alios minùs, usque ad persecutionem Dioclesiani tyranni, permansere (Gildas, c. 7). Susceptam fidem Britanni, usque in tempora Dioclesiani principis, inviolatam, integramque quieta in pace servabant. Bede, l. 1. c. 4.

[2] Gildas, c. 8. Bede, l. 1. c. 7; Venant. Fortun. l. 8. c. 4, de Virgin. "Verolamienses ejus martyrium marmori inscripserunt, mœnibusque inseruerunt: sed posteà, cum tyrannorum immanitatem martyrum sanguis vicisset, christiani ecclesiam, mirandi, ut inquit Beda, operis, in ejus memoriam posuerunt." Camd. Brit. 305. Ed. 1594.

[3] Usher, Antiq. Brit. Eccl. c. 7.

Alban's feet, and the executioner's eyes dropping out of his head, are unmentioned by Gildas, who only takes notice of his drying up a passage in the river. But then we are to observe, that Gildas is very brief, and does not seem to design a detail of circumstances. And to show that Bede is not singular in recounting these miracles, Ado Viennensis, Rabanus Maurus, Notkerus, and Matthæus Florilegus, affirm the same thing.

"As for St. Alban's miracles, being attested by authors of such antiquity and credit, I do not see why they should be questioned. That miracles were wrought in the church at this time of day, is clear from the writings of the ancients. To suppose there are no miracles but those in the bible, is to believe too little. To imagine that God should exert his omnipotence, and appear supernaturally for his servants in no place but Jewry, and in no age since the apostles, is an unreasonable fancy; for, since the world was not all converted in the apostles' times, and God designed the farther enlargement of his church, why should we not believe he should give the Pagans the highest proof of the truth of christianity, and honour his servants with the most indisputed credentials? Now, if this is very reasonable to suppose, why should St. Alban's miracles be disbelieved, the occasion being great enough for such an extraordinary interposition?"[1] And to carry the same reflection down to after-ages, where there was a like occasion for God to show his power, and the general concurrence of historical credit to witness the facts, why may we not afford the same belief to those wonderful operations, which are recounted of St. Germanus, when he maintained the cause of the church against the Pelagians? of St. Augustin, when he converted the Saxons? of St. Boniface, when he preached to the Germans? and of St. Xaverius, when, in these latter ages, he carried the gospel into the Indies? To allege, that, upon these

[1] Collier, Eccl. Hist. i. 22.

latter occasions, all was trick and contrivance to support a party, is a desperate plea, not only rendering historical credit useless, and exposing christianity to the reproaches of infidels, but even sapping the foundation of all Christ's miracles, which the Jews attacked by the same method.

The persecution under Dioclesian having caused a great destruction in the British church, in the beginning of the fourth century, it did not recover itself till the emperor Constantine the Great, becoming a christian, by public edicts ordered all the old churches to be repaired, and new ones to be built, with permission to the faithful to annex what lands they pleased to them,
321 towards the support of the bishops and clergy, who now appeared out of their lurking-holes, and with great joy were recalled from the slavery and banishment they had been confined to, during the late general persecution.[1] Great Britain, among other parts of the empire, shared of this blessing; and though our records furnish us not with many particulars, yet several persons are made mention of, even in the beginning of this age, as eminent professors of the christian religion. The first, Helena, mother to Constantine the Great, daughter of Coilus, a British prince. To her we may join Constantius, father to Constantine, who, towards the latter end of his days, became a christian, and died at York.[2] Again, we read of Iltutus and Gudwallus, two British bishops, who very probably were of those prelates that had survived the persecution. Now also, we have an account of two monasteries being founded, one at Winchester, another at Abingdon; and if the monastery of

[1] "About four years before the council of Nice, Constantine set forth the famous constitution, extant in the Theodosian code (16 Tit. 2, l. 4), by which all persons are left at liberty to bequeath what they think fit, by will, to the catholic churches of christians" (Collier, ib. 37). Besides what is here taken notice of by Collier, it may be farther observed, that christianity had got a pretty good establishment before Constantine, by the connivance of several emperors, especially of Philip, who, about 246, was privately a christian, as several good historians give an account. See Eusebius, Hist. Eccl. l. 6, c. 34; Vincent. Lirin. Commonit. c. 23; Orosius, l. 7, c. 13, and the acts of St. Pontius, apud Surium, To. 7, die 14 Maii.

[2] Euseb. in Vit. Constant. c. 17; Zonoras, Annal. l. 2.

Glastonbury was not a religious community in the infancy of the British church, it was so at least in this century; for St. Patrick, a Briton, was born about the year 361, and, as our antiquities give an account, had a great part of his education in that monastery, where he lived near thirty years.[1] Towards the latter end of this age, as Bede reports, one Ninian, a learned and zealous British priest, who had some time been educated at Rome, was sent from thence to preach the gospel to the southern Picts, which he performed with great success; and having converted a vast number of the inhabitants, he became a bishop, and had his see at a place in Galloway, formerly called White-hern, or Candida Casa.[2] About this time also, some pains were taken to spread the gospel in Ireland, the inhabitants being then called Scoti; for when, in the next age, Palladius was sent from Rome to instruct them, it appeared that some of them had a knowledge of christianity before he came among them.[3]

This is the account we have of the British church at home. But besides, we have some information from abroad, where, as authentic records report, several British bishops appeared, and sate in those councils which were called to suppress the Arian heresy.[4] The same historians inform us, that the British christians of the fourth century frequently visited Rome, Jerusalem,

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[1] Patricius, Hiberniensium apostolus, qui xxx annos vitam monasticam hîc egit.—Camd. Brit. p. 162, Ed. 1594. [It is now, however, acknowledged, that the monk of Glastonbury and the apostle of Ireland were different persons. The former was the elder. See Butler's Saints, March 17.—*T.*]

[2] Bede, l. 3, c. 4; Harpsfield, p. 35; Camd. Brit. 629, Ed. 1594. He travelled to the holy see, where "his learning and exemplary life made the pope take notice of him, who is said to have sent him back to Britain." Collier, i. 43.

[3] Prosper in Chron., who says he was sent "*ad Scotos in Christum credentes.*" He also calls the country an *island*, which, as Usher observes (Antiq. Brit. Eccl. 173, 416), cannot be understood of Scotland.

[4] Arles, Sardica, Ariminum, and perhaps Nice. The names of the British bishops, at Arles, were, Eborius of York, Restitutus of London, and Adelphius, bishop "*de civitate coloniâ Londinensium,*" which may have been Caerleon. See Sirmond, Concil. Gal. i. 9; Sulpit. Sever. Hist. Sac. l. 2; Athanas. Apolog. 2; et Epist. ad Solit. Vitam. agentes; and Collier i. 25-37. [The last writer has shown that the "civitas colonia Londinensium" was probably an error of the copyist for "civitas *colonia Legionis* 11," which was certainly Caerleon.—*T.*]

and other remarkable places, whither the faithful of other nations usually resorted to pay their devotions;[1] and particular mention is made of their travelling to have a sight of the famous Simon Stylites, whose miracles and extraordinary way of living was a subject of admiration to all parts of the world.[2] But it proved very unfortunate both to the British church and state, when, about the year 379, Maximus, the Roman
379 governor, carried out of the kingdom an incredible number of the inhabitants, in order to employ them in his rebellion against the emperors Gratian and Valentinian; for, as Gildas reports, they never saw their own country again; and it is thought some of them were placed in Armorica, now called Little Britain. Now the misfortune was, the drawing out of these Britons, and the Roman legions being afterwards called over to defend their own country, by this means the Britons were become incapable of maintaining their ground against the Picts, which obliged them to invite the Saxons over to assist them; and this piece of management proved at last to be their ruin.[3]

CENT. V. In the next place, let us take a view of the British church in the fifth century, which presents us with a dismal scene of confusion, when all matters both civil and religious were under so bad management, as to threaten nothing but entire destruction. The civil power was daily attacked by the Picts; and the Roman forces, on whom they depended, were continually called away to observe other enemies who were much more formidable. Pelagius had now begun to spread his pernicious doctrine in several parts of the church, and Great Britain was not free from the infection; and being unprovided with persons of sufficient learning to detect the sophistry of that subtle heresy, the Gallican bishops were applied to, to give them some assistance. Accordingly, Germanus, bishop of Auxerre, and Lupus, bishop

[1] S. Jerome, Epist. 17; Palladius, Hist. Lausiac. c. 118.
[2] Theodoret, Hist. SS. Patrum, c. 26.
[3] Concerning this depopulation of Britain, and its consequences, see Gildas, cap. 10. 11. 12; Nennius, c. 23, 28; Sidonius Apoll. l. 1, Epist. 7, and others.

of Troyes, came over, and having confuted the Pelagians both by arguments and miracles, returned 429
back into their own country. But, in a little while, Germanus made the Britons a second visit, having
for his companion Severus, bishop of Treves. The 435
occasion of this second visit was, to clear the nation from the remains of Pelagianism, and restore ecclesiastical discipline, which had languished for a long time, through the wars they were continually engaged in against the Picts. Upon this occasion, Germanus placed one Dubritius, a learned British priest, in the see of Caerleon, and gave directions for founding two monasteries, one at Hentland on the river Wye, the other at Mockross. By these regulations, the British church began to be again in some repute, and, towards the latter end of this age, their monasteries and schools for the education of youth turned out several eminent men, who made a considerable figure, both by their learning and piety, in the age ensuing.[1]

I observed above, that the kingdom of Ireland (the inhabitants whereof are by old historians called Scoti) had formerly received some instructions in the christian religion: but it was not till the fifth century that it became happy by almost a total conversion, which was effected by the care of pope Celestine, who first 431
sent thither Palladius, a clergyman of Rome, who laboured among them for some time, and became their first archbishop, who was succeeded by St. Patrick, a Briton by birth, and by whose extraordinary zeal and primitive behaviour, the work was completed, and he deservedly styled the apostle of Ireland. Some there are, who pretend that Palladius stepped over into Scot-

[1] Constantius, in vita S. Germani, l. 1, c. 19, and l. 2, c. 1; Prosper, Chron. ad an. 429; Nennius, c. 29, et seq.; Bede, l. 1, c. 17, et seq.; and the authorities cited by Collier, i. 47, 48. Camden, speaking of the ancient Verulam, thus refers to this subject:—"Tanta religionis opinio Verolamio accessit, ut hic Synodus, anno mundi redempti 429, haberetur, cum Pelagiana hæresis, per Agricolam, Severiani episcopi filium, in hac insulâ repullulasset, Britannicasque ecclesias ita maculasset, ut, ad veritatem asserendam, Germanum Antisioderensem et Lupum Tricassinum è Galliâ evocarent; qui, refutatâ hæresi, se venerabiles Britannis reddiderunt, imprimis Germanus, qui plurima per hanc insulam templa sibi sacrata habet."—Brit. p. 305.

land, and preached the gospel to the northern Picts, and from thence they date the first conversion of those remote people. It appears further, from the records of those times, that St. Patrick had been some time educated in France, that he had been a hearer of St. Germanus, and, while he lived in Ireland, laid the foundation of several monasteries in that kingdom.[2]

While things succeeded thus prosperously in Ireland and Scotland, in favour of the christian religion, the Britons were laying schemes, which ended with the loss both of their religion and liberty: for, being deserted by the Romans, and under daily disturbances from their neighbours, the Picts, they had made choice of one Vortigern, a person of distinction, and, as it is supposed, of the British royal blood, to govern them as their king; who, finding by experience that the Britons were incapable of themselves to withstand their enemies, the Picts, entered into the dangerous project of calling in strangers to his assistance: and accordingly he contracted with the Saxons and Angles, a warlike people of Germany, who easily were persuaded to accept of the proposals, in hopes of enriching themselves by the service. The troops they sent over were conducted by two generals, brothers, Hengist and Horsa, who landed in Great Britain about the year 449. It was not long
449 before they distinguished themselves by their valour, and in several conflicts brought the Picts to reason. Their success had rendered them great favourites with king Vortigern, who, by way of recompense, having cast off his lawful wife, took in her place the daughter

[2] See the Saint's Confession, and other writings, apud Tillemont, to. 16, p. 455; Prosper, Chron. ad an. 431, et lib. contra Collatorem; and Nennius, c. 55, et seq. Camden thus speaks of St. Patrick's mission:—"Hic, natione Britannus, et Martino Turonensi affinitate conjunctus, Palladio defuncto, à Cælestino subrogatus, tanto successu christianam religionem per Hiberniam propagavit, ut longe maximam insulæ partem ad Christum converterit, Hibernorum apostoli nomen meruerit, et ejus discipuli tantos progressus in re Christianâ fecerint, ut, subsequenti ætate, Scoticis monachis nihil sanctius, nihil eruditius fuerit, et in universam Europam sanctissimorum virorum examina emiserint, quibus Fulda Germaniæ, S. Gallus Helvetiæ, aliæque urbes et monasteria originem debent suam." Brit. p. 647. [For an answer to the sceptical assertions of Dr. Ledwich, on the subject of St. Patrick, see O'Connor (Prolegom. xlix.), and Lingard's History of England, ii. 93, note 122.—*T.*]

of Hengist. This fact hugely incensed the generality of his British subjects, and especially the clergy, who suffered very much for remonstrating against his alliance with a heathenish nation. But Vortigern was so far from relenting, that he daily increased his favours to the Saxons, putting them into possession of several provinces, and permitting them to send over for fresh troops, by which means they became capable to dispute a superiority with the Britons when occasion offered.[1] A war quickly ensued, which continued all this century, under the three kings, Vortimer, Uther Pendragon, and Aurelius Ambrosius, successors to Vortigern, in one of whose reigns a terrible battle was fought, in the year 493, when a great slaughter was made of the Saxons. Bede gives an account of this engagement in the words of Gildas, whom he copies; and Gildas tells us the battle was fought at a place called Mons Badonicus, which is supposed to be the present Bannesdown, near Bath, and that it was in the year above mentioned, the same year he was born.[2]

493

The sixth century proved still more fatal to the Britons, both as to civil and religious affairs, which

CENT. VI.

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[1] Gildas, c. 23. Nennius, c. 28. Bede, l. 1. c. 15. [The circumstances detailed by Nennius, in a subsequent part of his history (c. 36, 44—47), are evidently fictions, invented to palliate the defeat and subjugation of his countrymen.—*T.*]

[2] Bede, ib. c. 16, Gildas, c. 26. The general account we have of the Britons is this:—Their antiquarians, who derive their descent from the Trojans, inform us, that they had sixty-eight kings before they were visited by Julius Cæsar, who attempted to conquer them about fifty-five years before the birth of our Saviour. They were then governed by several petty kings, though some were tributary to others. They still had petty princes, but in subjection to a Roman Governor. The Romans deserted them about 449, when the Saxons came amongst them. They struggled with the Saxons during the reigns of twelve British kings, till the close of the sixth century, when they were driven into Wales, where, for a long time, they were still governed by kings, and had almost continual wars with the Saxons, both during the heptarchy and monarchy. About 840 [Lloyd, in his description of Wales, p. 6, says 870; but Powel, in his notes on Girald. Cambr. p. 883, Ed. Camden, proves that it was anterior to the Saxon invasion], Wales was divided into three principalities, North Wales, South Wales, and Powis-land. They continued their wars with England, but commonly were tributary, till at last they were entirely subdued by King Edward I, in 1282. However, they remained under their own laws and customs, till they were incorporated in 1536 (Stat. 27 Hen. VIII. c. 26), and had the same privileges and laws with the English.

are pathetically described by Gildas, who was an eye-witness to the misfortunes of his country. What he relates is, for the most part, in general terms, but other records afford us more particulars. And, in the first place, as to civil matters: the prince that appeared at the head of the Britons, in the beginning of this century, was Arthur, a young man of great hopes, and very successful in many engagements against the Saxons, the fame whereof was the ground of a great number of romantic accounts concerning him, which are altogether inconsistent with true history; viz., that he not only recovered the liberty of his own people, but also conquered Scotland, and all the British islands, laid France waste, and even put the whole Roman empire into fear, by a powerful army which he led to the foot of the Alps. But notwithstanding these fables, which, I suppose, were taken from the high flights of some British piece of poetry, king Arthur was, in all respects, a person who merited the best of characters, though his end was unfortunate; for, being disturbed by his nephew Mordredus, who disputed the crown with him, this occasioned a civil war, in which they both lost their lives; and by this means the Saxons had an opportunity of spreading themselves, and getting a better establishment in the island.[1] After Arthur, about seven or eight other British kings succeeded, whose reigns were remarkable for nothing but indolence, immorality, and tyranny; by which means they became odious to their own people, and a prey to their enemies: for, as Gildas observes, their behaviour was so provoking to the Almighty, that it accelerated the ruin both of their church and government. The last prince, indeed, who appeared as king among them, whose name was Cadwallader, was a person of a promising disposition, and took some pains to recover his people both from vice and slavery; but they became uneasy under his conduct,

[1] Nothing can be better attested than the substance of his story. It is criticising with a vengeance, to expunge his name out of the records of true history, upon account of the fables that have been invented to celebrate his memory. The gospel is not safe under such a liberty.

and he was obliged to quit his government. The consequence whereof was a civil war among the nobility, concerning a new election; which being attended with a great plague, and upon that a famine, the Saxons made a hand of these providential calamities, and became sole masters. Cadwallader himself retired into Armorica, or Little Britain, where he had some interest, and had some thoughts of raising an army, to try once more to recover his right; but, as it is reported, he was admonished in a vision to desist, for the fate of his country was fixed; upon which, altering his resolution, he travelled to Rome, where he ended his days.

In the meantime, as the Saxons continued to bring the British provinces under subjection, the old inhabitants seemed to be at liberty to dispose of themselves as they pleased. Some put on the yoke, and remained in their ancient habitations; but the generality, by degrees, retired into Wales and Cornwall; and not a few went over into Little Britain, a country of refuge for the poor Britons, during all the struggles they had with the Saxons. Upon this occasion, as the records take notice, St. Malo, a British bishop, fled over into Little Britain. St. Sampson, also a bishop, went over into the same country, and was made bishop of Dole.[1] However, several bishops and clergy resided among the Saxons, till towards the latter end of this century; for I find that Theonus, bishop of London, and Thadiocus, bishop of York, with many of the inferior clergy, did not retire into Wales till about the year 586, at which time, they carried along with them a great many relics and church ornaments. This removal, which appears to have been general, might very probably happen on account of some persecution; for we may very well suppose, that, when the two nations were at such vari- 586

[1] [SS. Malo and Sampson, with a third, St. Magloire, were cousins. Sampson and Magloire migrated first: they were followed by St. Malo, who had *refused the episcopal dignity in his own country*, but was *afterwards* consecrated in Britany, and, in 541, became bishop of Aleth, in that province. Sampson had borne the episcopal character at home. He was consecrated in 519, by St. Dubricius, in a synod at Caerleon, but without an appointment to any particular see. Butler, July 28 and Nov. 15.—*T.*]

ance, the bishops and clergy could not be very easy under such circumstances.[1]

The Britons, that retired into the western part of the island, called Wales, being well settled there, began, as we imagine, to reflect upon former days, and what it was that had brought those calamities upon their nation; which was no other than, as things are represented by Gildas, an inundation of all sorts of vices. And, indeed, they profited by the reflection; for, in a few years, both learning and religious discipline was carried to such a height, that no part of Christendom made a better figure than the British church, in Wales, and other adjacent places. I will mention some instances, as they stand recorded both in ancient and modern history. There we have an account of St. David, bishop of Caerleon upon Usk, who laid the foundation of twelve monasteries, among which one was that of Rose-valley, and very probably that of Bangor, though some give it an earlier date. About the year 519, he attended a council, held in opposition to the Pelagian heresy. Here St. Dubricius resigned the pastoral care of Caerleon, and David, who had previously been consecrated bishop, was unanimously chosen to succeed him. Having sat several years at Caerleon, he removed his see to Menevia, now called St. David's, about 529, and lived to a vast age.[2] Now also flourished St. Petrock, who, educated in Ireland, and returning afterwards to a monastery near the River Severn, publicly read on the heads of divinity, and had several persons of eminence for his audience. He afterwards became a bishop,

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[1] Usher, Antiq. Brit. Eccl. p. 298, 299.

[2] Anglia Sacr. ii. 628—640. "David is said to have continued upon his last see sixty-five years; and .... died in the year 642, being a hundred and forty-six years of age .... A great many extraordinary things are reported of him, some of which may very probably be true: for, in the infancy of a church, miracles are more necessary, and therefore may be supposed much more frequent, than afterwards." Collier, i. 58. [I have no doubt that the date here assigned for the death of St. David is a misprint for 542, the year in which that event is placed by the author of the Annales Eccl. Menevensis (Ang. Sacr. ii. 648). Heuce, supposing him to have transferred the see to Menevia in 529, instead of sixty-five, he can have sat there little more than thirteen, years.—*T.*]

residing in Cornwall, and gave his name to the town called Petrockstow, now Padstow.[1] Cotemporary with these was Oudiceus, bishop of Landaff, who was a learned and zealous prelate. He convened several councils of the clergy and abbots of his diocese; of which Spelman gives an account, with the names of the abbots that appeared.[2] About the year 560, we meet with St. Kentigern, a Scotchman, bishop of Glasgow, who, being driven out of his own country, fled into North Wales, where he laid the foundation of a monastery between the rivers Clwyd and Elwy. He was a man of learning, and had 600 monks under his inspection. He ordered them into three stations; some managed the husbandry part abroad; others were employed in domestic affairs within doors; a third attended only to studies and divine service. In some time, this monastery was made an episcopal see, and St. Kentigern became the first bishop. The bishop, in old records, is styled Elywensis, Elvensis, and Lanelwensis. After some years, St. Kentigern, being recalled into his own country, appointed St. Asaph to be his successor, who was born in North Wales, and educated in the monastery of Elywin, or Lanelwy, under St. Kentigern.[3] I must not pass over in silence here the famous Irish abbot, Columba, who, leaving his country about 565, came to preach the gospel to the northern Picts. His mission was attended with success. The people were speedily converted to christianity; and Bridius, their king, "gave him the island of Iona, or Icolumkill, for a monastery, where he was buried, at seventy-seven years of age, and about thirty-two after his coming into Britain. Before he left Ireland, he founded a considerable monastery there, called Dearmach in the Scottish language, *i. e.* a field of oaks. These two monasteries of Iona and Dearmach multiplied into a great many reli-

[1] Leland, Itiner. viii. 52; Collier, i. 59. [There is no authority for the assertion that St. Petrock was a bishop.—*T.*]

[2] Collier, i. 60.

[3] Camd. Brit. p. 523. Ed. 1594. Godwin, de Præsul. 631, 632. [He was in Wales from 543 to 560, and died in 601. Wharton de Episc. Asaph. 300, 302.—*T.*]

gious houses in Britain and Ireland; of all which, the monastery of Iona, where Columba lies buried, is reckoned the principal. This little island was always governed by an abbot in priest's orders, who had not only a jurisdiction over the laity, but, by a strange unprecedented singularity, *ordine inusitato*, as Bede speaks, was likewise superior to the bishops of the place; because St. Columba, the first missionary and abbot, was no more than a priest..... Adamnanus, the successor of St. Columba, wrote his life, and was abbot of Hy, or Iona, when Bede was a child."[1]

The account of this century brings us to the time of the Saxons' conversion, which happened in the close of it; which matter shall be referred to the next, or seventh century. In the meantime, I desire the reader to cast his eye back upon the outward economy of the British church, as it is described from the best and only records we can meet with. Doubtless, it will surprise and puzzle some sort of readers, when they find themselves entertained with nothing but abbots, monks, and monastic foundations; and, by viewing things in that glass, observe so little of resemblance with the present times in which they live; when monks are represented

[1] Collier, i. 60. The passage is translated from Bede l. 3, c. 4. [To the names mentioned in the text, as the ornaments of the British church, during the present age, I may add that of St. Dubricius, first, bishop of Landaff, and afterwards translated to the archiepiscopal see of Caerleon; of St. Thelian, the disciple of Dubricius, the friend of St. David, and ultimately the successor of his former master in the see of Landaff; of St. Iltut, the instructor of the saints David, Magloire, Sampson, and others; together with those of Pattern, Winwaloe, Paul of Leon, Guadwall, Daniel, and the two Gildases, whose virtues have secured for them a place in the calendar of the British church (see Ang. Sac. ii. 654—667, and Butler, in Vit.) Of all these, St. Gildas, the historian, sometimes called "the Wise," and sometimes "Badonicus," to distinguish him from his namesake, the Albanian, is, perhaps, the most generally known. He was born, as the reader will recollect, in 493, the year in which the battle of Badonsdown, or Bannesdown, was fought; and, from this circumstance, obtained his second distinctive appellation. Like St. David and his companions, he was educated under the care of St. Iltut. In 527, he passed into Britany, became the founder of the abbey, which still bears his name, in the Peninsula of Rhuis, near Vannes, and died in a hermitage, in that neighbourhood, about the year 580. Of his writings, his work *De Excidio Britanniæ*, and an Epistle, condemnatory of the royal and clerical vices of his country, are all that remain. The latter was written in 537; the former, according to Usher (Antiq. 278), in 564. See Mabillon, Act. SS. Ord. Bened. i. 138, and Leland, de Script. Brit. 51—58.—*T.*]

as idle drones; monasteries, schools for ignorance and superstition; and the dissolution of such pious establishments, a glorious undertaking, becoming the zeal of an apostle, and the title of a reformer! When it is considered that this method of life was embraced by their British ancestors, who are supposed to have followed the gospel in the greatest purity, and not to have been drawn into such practices by any foreign influence or jurisdiction, it will be a hard matter to find out those christians, from whom they drew the plan of the present economy that is established among them. Some writers, indeed, I have met with, who pretend to reconcile the British discipline to the present posture of their affairs; but their arguments are of so fine a thread, that they are blown away with a blast. They allege, that the word monk had a quite different signification from what it afterwards obtained in superstitious ages; that any one was called a monk, who lived a quiet, sequestered, and studious life; that, if they lived in one community, it was done without any ties, or the vows of poverty, chastity, or obedience, which were additions of later ages, and no part of ancient monastic discipline. This, indeed, is a very learned and ingenious comment upon the ancient records of the church, and a pretty representation of a monastic life; but, at the same time, as void of truth, as it is full of unparalleled assurance. What will not prejudice undertake, which dares venture to make an attempt so directly contrary to plain matter of fact? I own, the business of a monk is a retired life, jointly with study and prayer. I am not ignorant that, now and then, some have had the appellation of monks given them by historians, purely on account of their retired way of living: but to allege this as a specimen of the monastic life in general, and apply it to all those monasteries, which were erected all over the church, in the fourth, fifth, and sixth ages (as soon as the state of christian religion would admit of such a discipline), is a plain insult upon common understanding. Look into the ancient historians, that relate what happened in the primitive ages, viz. Epiphanius, Eusebius, Jerome, Theo-

doretus, Socrates, Sozomenus, Ruffin, and others, who have given us the lives of the monks that lived in the east, in Palestine, and Egypt. Turn over the works of those fathers who have published their rules and constitutions, viz. St. Basil, St. Gregory of Nyssa, St. Augustin, Cassianus, St. Benedict, &c. And for greater satisfaction upon this point, take a view of the canons of the councils, general, national, and provincial, and form your judgment according to what you find there, concerning the obligations and discipline of a monastic life. That they commonly lived under one roof; were subject to one superior; were not masters of property, but possessed their goods in common; were treated as vow-breakers and vagabonds, if they presumed to marry, or quit their monasteries; and were punishable by the ancient laws, both civil and ecclesiastical, if they happened to be guilty of those crimes, is a truth so plainly delivered in all the records of antiquity, that it is an ocular conviction to any one that will but give himself the trouble to peruse them. So that, unless we look upon the British monks to have been the mere apes or mimics of all others that made profession of a monastic life, we shall be obliged to own, that their discipline was the same, as well in substance, as in outward appearance.[1]

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[1] Among other things objected by the Donatists against the Catholic church, one of their topics was a monastic life. St. Augustin (l. 3, cont. Liter. Petiliani) says, Deinceps perrexit ore maledico in vituperationem monasteriorum et monachorum, arguens etiam me, quòd hoc genus vitæ à me fuerit institutum. Again (in Ps. 132) he gives a general idea of a monastic life. Where the Donatist attacks him, saying, Quid sibi vult nomen monachorum? ostendite ubi scriptum sit nomen monachorum. Quare ergo non appellemus monachos, cùm dicat Psalmus, Ecce quàm bonum, et quàm jucundum habitare fratres in unum? he replies, Meritò insultant nomini unitatis, qui se ab unitate præciderunt. Meritò illis displicet nomen monachorum, qui nolunt habitare in unum cum fratribus: sed sequentes Donatum, Christum dimiserunt.

Monasteries were established all over the church, in the fourth age. Ruffinus (l. 2. de Vit. Patrum) says, Serapion had 10,000 monks under his care. Sozomen (l. 3, c. 14), who gives the rules established by St. Pachomius, tells us that, in the single monastery in which that saint resided, there were 1300 brethren, and that the whole number of monks under his direction amounted to 7000. Finally, St. Jerome (in Epitaph. Marcellæ) adds his testimony to the same fact,—crebra virginum monasteria, monachorum innumerabilis multitudo.

Now, as to the obligations of the monks: 1st. *They lived in community*:— Divisi sunt per decurias atque centurias, ita ut novem hominibus præsit

Having brought my account down to the end of the sixth century, I will take my leave of the Britons, and pursue my design under the Saxon Heptarchy, or seven principalities, for such was the economy of our ancestors, after they had expelled the ancient inhabitants. The names whereby these petty kingdoms were distinguished were, *Kent*;[1] *South-Saxe*, now Sussex; *East Anglia*, comprising Norfolk, Suffolk, Cambridge, and the isle of Ely; *East-Saxe*, which extended over Essex, Middlesex, and the south of Hertfordshire; *Northumbria*, comprehending the two independent kingdoms of Deira and Bernicia, and stretching from the Forth to the Humber, and from the eastern to the western shores of the island; *West-Saxe*, or *Wessex*, containing the south-western counties, from Sussex on the east, and from the Thames and the Severn on the north; and *Mercia*, which occupied all the interior of the island. I will only touch upon their conversion, with some few particulars of the progress the gospel made among them, which had obtained a perfect establishment, under archbishops, bishops, and monastic discipline, before the close of the seventh century. In the first place, it is to be remembered, that little or nothing had been done, in order to bring this Pagan people over to the faith, though they had now made their abode here near 150 years; and that their neighbours, the Britons, the French, the Irish, and the Picts, who were all Christians, wanted zeal to employ their talents that way, as Gildas, Bede, and other historians, make grievous complaint. But, at length, Providence came in to their assistance, when the Divine goodness excited Pope Gregory the

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decimus, et rursum decem præpositos sub se centesimus habeat (S. Jerom. de Regul. Monach.) 2nd. *They promised obedience*:—Confederatio est obedire majoribus, et quidquid jusserint facere (Idem). 3rd. *They made vows of virginity*:—Admittenda est virginitatis professio (St. Basil. in Reg. Monast. interrog. 9). 4th. *They renounced property*:—Nemo quidquam possidet proprium (S. Aug. de moribus Ecc. c. 31); Facultatibus suis abstinent, et ad se pertinentibus renunciant. Sozom. l. 1, c. 12.

[1] The kingdom of Kent contained Kent only, though the three kingdoms of the East Saxons, the East Angles, and the South Saxons, were tributary to it.

Great to undertake the work, at that juncture when Ethelbert was king of Kent; a prince of excellent qualifications for government, and of good dispositions for receiving instruction. He had married Bertha, a princess of France, who, by articles, was allowed to have a private chapel, with a bishop, called Luidhard, for her chaplain and confessor. The missioners sent by St. Gregory were, Augustin, Mellitus, and others, who, by some, are reported to have been Benedictine monks; but that they were either secular clergy, or of a certain order called Equitians, is contended for by some, who are generally esteemed as good judges in such sort of matters. They arrived in the isle of Thanet in
597 the year 597; and it was not long before they became happy, by beholding the fruits of their labour. Not only king Ethelbert, but 10,000 of his subjects were baptized; and many miracles were wrought, both as an inducement and a confirmation of the doctrine that was planted among them. Saint Augustin was as yet but in priest's orders; wherefore, as soon as he had leisure, he took a journey to Arles, (of which city Etherius was archbishop, as also the pope's legate, and primate of France), where he was consecrated bishop, and immediately after returned to his flock. In the next place, St. Gregory thought it was proper to invest him with a very extensive jurisdiction; which, all circumstances considered, was richly his due.
601 Besides, therefore, the dignity of an archi-episcopal see, he was declared primate both over the British and Saxon churches; whereas the Britons, before this regulation, were subject to a primate of their own.[1] Afterwards, he judged it highly requisite to come to a good understanding with the British bishops and religious, and to put them in a better way, than hitherto they had been in, through the iniquity of the times, and

[1] Omnes Britanniæ Sacerdotes habeat (tua fraternitas) subjectos (Greg Epist. apud Bede, l. 1, c. 29). In Galliarum episcopos nullam tibi authoritatem tribuimus . . . . . Britannorum verò omnes episcopos tuæ fraternitati committimus. Ib. c. 27.

the little communication they had with the rest of the church. Accordingly, a meeting was appointed, but very few of the British church appeared.[1] But upon a second meeting, there came seven bishops, and several abbots. At this second meeting, the Britons took a distaste to St. Augustin's person, upon the whimsical pretence, that he wanted humility, because he happened not to rise from his seat, and salute them at their appearing. What the subject of this conference was, is not recorded as to particulars; but we may imagine, there was no debate between them upon any thing that was material, upon account that the following condescensions were the only things St. Augustin expected from them: First, to conform themselves to the rest of the church, as to the time of celebrating Easter. Secondly, to reform certain abuses that were crept in among them, in the ceremonies of baptism. Thirdly, that they would mitigate the animosities they bore against the Saxons, at least so far as to concur with him in endeavouring their conversion.[2] I don't find that St. Augustin had any dispute with them concerning doctrinal points, or that he mentioned his metropolitic jurisdiction over them (which it is to be thought they took for granted, by their answering his summons), which was a circumstance Bede would not have omitted. Indeed, this historian relates, that the Britons went away unsatisfied, and muttered something against St. Augustin's person, as if they were apprehensive of his lordly behaviour. I know Spelman has of late produced an old scrap of a writing, which

603 or 604

[1] Bede, giving an account of this first meeting, says that St. Austin restored sight to a blind man; on which the Britons owned "Veram esse viam justitiæ, quam prædicaret Augustinus: sed se non posse, absque suorum consensu, priscis abdicare moribus."—l. 2, c. 2.

[2] Dicebat autem eis Augustinus, quòd in multis quidem nostræ consuetudini, imo universalis ecclesiæ, contraria geritis; et tamen, si in tribus his mihi obtemperare vultis, ut pascha suo tempore celebretis, ut ministerium baptizandi, quo Deo renascimur, juxta morem sanctæ Romanæ et apostolicæ ecclesiæ compleatis, ut genti Anglorum unà nobiscum prædicetis verbum Domini, cætera quæ agitis, quamvis moribus nostris contraria, æquanimiter cuncta tolerabimus. At illi nihil horum se facturos, neque illum pro archiepiscopo habituros esse respondebant.—Bede, ib.

imports, that the Britons, upon this occasion, positively refused to acknowledge the bishop of Rome's superiority over them; but it is stigmatized with plain marks of forgery,[1] and is altogether inconsistent with the story of those times, which informs us, that there was a continual correspondence between the British Christians and the Saxons; that they applied themselves to the see of Canterbury for orders; that both the British, Irish, and Picts clergy, joined with the Saxon missioners in propagating the Gospel; and that henceforward there was never any contest among them, only about the celebrating of Easter; which point also was determined, not many years after, at least by the major part of the British Christians. But, in case the Britons in Wales had appeared unwilling to admit of a new metropolitan, it only shows that they were not pleased to part with their ancient privileges; or had they actually refused to submit to the see of Rome, it was only an instance of their schismatical disposition, and that they went against the custom of all other Christians at that time.[2]

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[1] This instrument, which is printed both by Spelman and Wilkins, professes to be the answer, returned by the Abbot of Bangor, to Austin's supposed demand of submission from the British prelates. The MS. seen by Spelman, was a copy, without name or date; and is said (Conc. i. 108, 109) to have belonged to a Welsh gentleman, named Mosten. In opposition to its authority, it has been remarked, 1st, that it makes Caërleon the metropolitan see, whereas that bishopric had been transferred to St. David's, almost a century before; and 2nd, that its language is modern Welsh, and exhibits many other internal evidences of forgery.

[2] [There are some circumstances in the narrative of Bede, which to me appear decisive of the question between Catholics and Protestants on this subject. The latter, arguing from the rejection of Austin by the British prelates, and forgetting or concealing the fact, that, to resist the papal ordinances, in matters of local discipline, is by no means to deny the supremacy of the Roman see, have hurried to the conclusion, that the ancient British church refused to recognize the authority claimed by the chief pastor. Now, that Austin himself must have acknowledged the jurisdiction of the pontiff is beyond controversy: that he must have been ready to assert it, as an essential term of communion, is as certain, as that his own commission actually depended on it for its validity. What then are the facts? The meeting, at which the pretended declaration is supposed to have been made, is preceded by another, wherein all the matters in dispute have been fully and anxiously discussed. Austin, therefore, comes prepared to the assembly. He knows the points of difference between himself and the natives: he even tells them that their practice is, in many instances, opposed to the *custom* (consuetudini), not only of Rome, but also of the universal church; but he assures them, at the same time, that he is willing to sink every

Soon after king Ethelbert's conversion, by the advice of St. Augustin, he employed his time and treasure in building churches, and laying other pious foundations. Near the royal city of Canterbury was erected a church in honour of St. Peter and Paul, to which, soon after, was joined a monastery, of which one Peter became the first abbot. Another church was built upon the ruins of an old chapel, formerly made use of by the British Christians, which by degrees was made the cathedral, and at present is called Christ-Church. Soon after, was laid the foundation of St. Paul's church, in London, then the capital of the neighbouring and dependant kingdom of the East Saxons. St. Andrew's, at Rochester, rose about the same time, and Justus, one of Austin's companions, became its first bishop. These, and several other pious works were carried on by Ethelbert and St. Augustin. St. Augustin died in the year 604, king Ethelbert not till the year 616. [604] Some of our historians (but upon what motive I leave the reader to guess) are pleased to imagine, that St. Augustin was so highly provoked at the behaviour of the British Christians, when they met in conference, that he vowed revenge, and that he afterwards excited one of the Pagan Saxon princes to make war with them; and it was in this war that the monks of Bangor were slaughtered. But this malicious insinuation is confuted by writers of the same party, who make it appear, that St. Augustin had been dead several years

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minor consideration, and demand their submission only in matters that are essential. Let them yield to him, then, in these. Let them follow the orthodox computation of Easter, let them adopt the order of the Roman ritual in the administration of baptism, and, having thus manifested their attachment to Catholic unity, let them join with him in preaching the gospel to the Saxons, and he will leave them at full liberty to retain their other customs, and enjoy whatever other immunities they may claim. It is evident, from the whole tenor of these proceedings, that neither the supremacy of the pontiff, nor any other article of Catholic *doctrine*, could have been disputed. It was a question, not of faith, but of practice; not of dogmas, but of "ancient customs:" and if the objections to the new metropolitan were not personal, which may reasonably be doubted, they must have originated solely in an unwillingness, on the part of the Britons, to admit an external interference in the *local discipline* of their church.—*T.*]

before that slaughter of the monks, which they confirm from the express words of Bede.[1] Indeed, St. Augustin had foretold, that the British Christians would be punished from Heaven for their stubbornness and want of charity: but this seems to be a proof of his holiness and prophetic spirit, not an argument of cruelty or revenge.[2]

616 King Ethelbert left the crown to his son Eadbald, who being very young, and entirely given up to his pleasures, a great check was given to the progress of the gospel; in so much that he relapsed, and drew after him many of his subjects. Mellitus and Justus, the bishops of London and Rochester, fled into France, and St. Laurence,[3] who was St. Augustin's successor, had

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[1] Ipso Augustino jam multo ante tempore ad cælestia regna sublato. Bede, l. 2, c. 2. [The authenticity of this passage has been denied by Godwin (De Præsul. Introd. c. 4), Parker (Antiq. Brit. p. 48), and a writer cited by Spelman (Concil. i. 110), and asserted by Alford (Annal. ii. 194—197), Cressy (Ch. Hist. 321), and Lingard (Antiq. Ang. Sax. Ch. 49, 50, note). As regards the charge against Austin, however, the question is of trifling importance. Wharton (Ang. Sac. i. 91) has proved beyond dispute that the saint died in 604; and the earliest date, that assigned by the Saxon Annals, for the massacre which he is accused of having procured, is 607. I ought to add, that Collier has had the honesty to vindicate him from this unfounded calumny. Hist. i. 77, 78.—*T.*]

[2] Quod ita per omnia, ut prædixerat, divino agente judicio, patratum est. Bede, ib.

[3] Laurentius patriâ Romanus, vir et pius et doctus (Godwin de Presul. in vit. p. 38). "It is a common opinion" (says Mr. Collier, in his Dictionary) "among the monks, that all the archbishops of Canterbury, from Augustin to Stigand, were religious. But this is a mistake; for Lawrence, to mention no other, was certainly no monk, but a secular priest, as appears from the plain testimony of Bede." Besides what Mr. Collier observes concerning Laurence, we may take notice of another common opinion, viz. that St. Augustin, Laurence, &c. were monks of the order of St. Bennet; which some of the best historians will not agree to. I will only mention that Mr. Tanner, in the preface to his "Notitia Monastica," is pleased to express an opinion, that the Benedictine rule was scarce heard of in England, till some hundred of years after. Then he brings several proofs of this opinion, namely that Bede, who gives an account of the monastic state till 731, says not a word of St. Bennet, or his rule; that when the monks' rules were reformed by the synod at Cloveshoe, anno 747, under archbishop Cuthbert, there was no mention of St. Bennet; that when the Danes had destroyed most of the Saxon monasteries, they were restored, and filled with Benedictine monks, called from abroad, which did not happen till king Edgar and St. Dunstan's days; that all the records, mentioning the Benedictine monks during the Saxon heptarchy, mistake the appellation, and are far from being exact in their account.

[Elsewhere, Dodd refers also to Baronius, Nat. Alexander, Smith, Broughton,

some thoughts of following them, but was sharply reprehended by St. Peter in a vision ; the manner whereof being related by Laurence to the king, and the truth of it above questioning, Eadbald became a new man, and restored christianity where it had lost ground by his behaviour. Mellitus and Justus were recalled. Mellitus, however, found opposition in being replaced in London, so he lay by, and was successor to St. Laurence in the see of Canterbury, where he died, in 624. Justus was also removed to Canterbury, after the decease of Mellitus ; and to supply the vacancy thus created, permission was obtained from pope Boniface V, to consecrate new bishops, and a person named Romanus became the successor of Justus in the see of Rochester.[1]

Ercombert, grandson to king Ethelbert, entirely rooted out the heathenish worship. He was a very religious prince, and, among other good sanctions, enforced the custom of fasting in Lent, by the civil law ; looking upon himself, and all other kings, to be chiefly designed for such purposes. He had a daughter called Ercongotha, who had made religious vows in France, in the monastery of St. Fara, now called Faremoutier, where her memory is still recorded. After the death of king Ercombert, his queen Sexburga retired into a monastery, which is supposed to have stood in the isle of Ely, and where her sister, Etheldreda, was abbess ; upon whose decease, Sexburga succeeded her in the government of the monastery, having with her a daughter whose name was Ermenilda. In the meantime, died Justus, archbishop of Canterbury, who consecrated Paulinus archbishop of York, one of St. Augustin's companions. Justus was succeeded by Honorius, who, as John Stow relates, divided his district into parishes. 640

Willis, Battley, Henschenius, and Papebroche, as writers, "who either expressly affirm, or are inclined to believe, that St. Austin and his associate missioners were not Benedictine monks." (Apology for the Church Hist. p. 74). To these he might have added Thomassin (De vet. et nov. Discip. l. 3. c. 24), Basnage (Annal. an. 581), and Gibbon (iv. 457). See Lingard, Ang. Sax. Ch. p. 104.—*T.*]

[1] Bede, l. 2, c. 3—8.

655 The next that filled the see of Canterbury was Deusdedit, otherwise called Theodotus. During his time, Ercombert died. He was succeeded in the kingdom by his son Egbert, who had a niece named Eormemburga, otherwise Domneva, who was married to Mearwald, king of Mercia. Her uncle having given her leave to build a church in the isle of Thanet, in honour of the blessed Virgin Mary, she joined a monastery to it, where she placed her daughter, Mildreda, abbess over seventy religious women, the archbishop performing the ceremony of her consecration. Deusdedit died in 664, and in 668 was succeeded by Theodorus,[1] sent from Rome by pope Vitalianus. There came along with him the famous and learned abbot, Adrian, who set up a school, or seminary, chiefly for the education of ecclesiastics. Bede, John of Beverly, Alcuin, and Tobias, the learned bishop of Rochester, with many other eminent men, were some time his hearers. In the year 673, Theodorus called a council, which assembled at Herudford, in the kingdom of the East-Angles, where several regulations were made relating to discipline; and, in 680, he summoned a second, which publicly approved of the five general councils, and of a synod lately held at Rome, under pope Martin, against the Monothelites. Among others, that appeared in the latter, there was one John, abbot of St. Martin's in Rome, called the Chanter. He was brought over by Coelfrid, abbot of St. Peter's monastery at Wyremouth, and was the first that set up church-music in the English

692 church. Theodorus was succeeded in the see of Canterbury by Brithwald, and after him came Tatwyn, all three men of remarkable parts and learning.[2]

The East-Saxons embraced the Christian faith in

604 St. Augustin's time; who sending Mellitus[3] to preach to them, he baptized king Sibert, with a

[1] Is erat primus archiepiscopus, cui omnis Anglorum ecclesia manus dare consentiret. Bede, l. 4, c. 2.

[2] Bede, l. 2, c. 18; l. 3, c. 8, 20; l. 4, c. 1, 2, 5, 17, 18.

[3] Vir natalibus, animi magnitudine, solertiâ, pietate, clarissimus.—Godwin, de Præsul. in vit. p. 40.

great number of his subjects. This good king was taken away in the year 615, before the gospel had got firm root; and his sons being only half-converts, it backened the growth; nay, they relapsed, and drove Mellitus from his see. However, the youngest son, Sigibert, obtaining the crown, and making an alliance with Oswy, the Christian king of the Northumbers, through his persuasion was baptized by Finan, a Scotch bishop, and took effectual means to bring his whole kingdom to embrace the faith. The labourer he employed was Ceadda, who was soon after made the second 654
bishop of London. Sigibert was succeeded in the kingdom by Suithelm, and he again was followed by the joint rulers, Sebba and Sigher. The latter was a great libertine; and his lewd life at length plunged him into apostasy, a great many of those under his 664
jurisdiction following his example. But it was not long before both he and his people were reclaimed, by the influence king Sebba had over him, but chiefly by the preaching of Jeruman, a Mercian bishop, whom Wulfhere, king of Mercia, had sent for that purpose. Our historians take notice, that king Sebba retired from the world, and ended his days in a monastery; and that Offa, another king of the East-Saxons, forsook his kingdom, travelled to Rome, and died there in a religious retirement. While Ceadda was bishop of London, he founded a monastery at Lestinghen, in the North; from whence it is presumed that he was originally of that country.[1] About the year 677, one Erkenwold was bishop of London, of whom it is recounted, that he was chiefly instrumental in founding two monasteries, one at Chertsey, on the river Thames, in Surrey, the other at Barking, in Essex, where his sister Ethelburga was the first abbess.[2]

The kingdom of the Northumbers extended from the river Humber, and took in some part of Scotland.

[1] Lestinghen is supposed to have been near Whitby, in Yorkshire (Stevens, in Bede, l. 3, c. 23). Ceadda died in 664. Flor. Wigorn. 561, 562.

[2] Bede, lib. 2, c. 5; l. 3, c. 22, 23, 30; l. 4, c. 11. Godwin, de Præsul. Lond. 172.

It was divided into Deira, in the southerly part, and Bernicia, which lay northward, over which sometimes two different princes ruled. Bede gives an account, from an ancient tradition of the country, that when Alla was king of Deira, some youths from those parts being exposed to sale in Rome, were taken notice of by Gregory, afterwards pope, who, with many others, admired their complexion and beautiful features. This made Gregory inquisitive whence they came; who, being told that they were Angles, of the province of Deira, and that the name of their king was Alla, immediately, by a prophetic allusion to those names, foretold, that the inhabitants of that country would, ere long, be like angels; be redeemed from God's wrath, and become acquainted with the meaning of Allelujah. Not long after, Gregory offered himself to go and preach the gospel amongst them; but his presence being required in Rome, upon account of some public employment, which could not conveniently be supplied by any other, he was disappointed in his design; which, notwithstanding, he carried on when he was chosen pope, by sending St. Augustin and other missioners thither, as I have already given an account, where I spoke of the conversion of Kent. Some years after Alla's reign, when Ethelfred was king of the Northumbers, he made war with the British Christians that inhabited Wales, and was the author of that terrible slaughter of the monks of Bangor. This king had several children, who, upon some revolution, were obliged to fly into Scotland, where they were entertained by Eugenius, king of that country, who took care to have them educated in the Christian religion. Ethelfred had to his wife Acca, sister to Edwin, to whom of right the crown of the Northumbers belonged, which Edwin obtained after the death of Ethelfred. Nothing was wanting in Edwin, to complete his character, but the true faith; and, in order to make him happy in this respect, Providence had, some years before his accession to the crown, thrown in his way several inducements; for, while he was in a state of banishment, to avoid the fury of king Ethelfred, and

was protected by Redwald, king of the East Angles, it was signified to him in a vision, that, if he would embrace the Christian religion, he should not only be placed in his throne, but enjoy also a prosperous reign. Many occurrences happened towards fulfilling this prediction. In the first place, he made a strict league with Eadbald, king of Kent, which was strengthened 625
by his marrying Ethelberga, sister to Eadbald, a Christian, and a lady of great virtue. She took along with her one Paulinus, a holy bishop, whom Justus, archbishop of Canterbury, had provided for her. He was not only to assist her and her family, but had likewise instructions to take all opportunities of planting the gospel among the Northumbers. This matter was carried on, in the year 625. At first, Paulinus made little progress; but, the year following, a certain accident happened, which brought things nearer. Quichelm, king of the West-Saxons, envying king Edwin's prosperous state, hired a villain to assassinate him with a poisoned dagger, and particularly upon Easter Sunday; but some of the courtiers breaking the stroke, he only received a slight wound. Queen Ethelberga, the very same night, was delivered of a daughter, called Eanfleda. These occurrences gave Paulinus an opportunity of putting the king in mind, that public thanks ought to be returned to the true and immortal God, as being the author of this double blessing. King Edwin gave ear to the admonition with a great deal of pleasure; and, at the same time, promised he would become a christian, if he came off victorious in the war he designed to engage in, against the king of the West-Saxons, who had attempted his life in so base a manner; and, as an instance of his sincerity, he permitted Paulinus to baptize his daughter, Eanfleda, with twelve more of the king's domestics. This was a good beginning, and a large step towards the conversion of the whole kingdom. The war between Edwin and Quichelm breaking out, and the army of the latter being routed, and the king killed in the field, this success gave Paulinus another opportunity of reminding Edwin of his promise of

becoming a christian. Edwin seemed disposed to comply, and condescended so far as to refrain from idolatrous worship; but, being a man of thought and reflection, he would not as yet be baptized, nor proceed any further, till he had conferred upon the matter with some of the chief of his nobility, rightly judging, that, with their concurrence and approbation, one of the greatest obstacles would be removed. In the meantime, pope Boniface V writes a letter to Edwin, earnestly exhorting him to go on with his design; which was accompanied with another to queen Ethelburga, full of good advice proper for the occasion. But an undertaking of this nature being attended with many difficulties, and the king being somewhat dilatory, Paulinus presumed to make him a private visit; and being no stranger to the miraculous vision, which he was favoured with, some years before, he renewed the memory of it to him, and immediately he took a resolution to delay his conversion no longer. Yet, according to his usual caution, he ordered a second meeting of his nobility; where meeting with no opposition, the idolatrous temples were shut up; and
627 both the king and the greatest part of his nobility were baptized on Easter-day. A church was erected in haste, of timber, for that purpose, and dedicated to the memory of St. Peter. Edwin lived not long enough to build the church with stone, though he laid the foundation; that work was completed by his successor, king Oswald.

This remarkable baptism of king Edwin happened in the year 627, being the eleventh of his reign. If any of my readers are disposed to quarrel with that part of the account, which regards king Edwin's vision, I will only observe, in the words of Collier, "that, how strange soever it may appear to an age of slender belief, I do not perceive how the truth of it can well be questioned; for Bede relates it as a certain matter of fact. Now his attestation seems to be an unexceptionable authority; for he was born in this kingdom of Northumberland, but one-and-fifty years after Edwin's conversion; so that it is not improbable, but that he might

receive the account from those who had it from the king. Besides, in the dedication of his *Ecclesiastical History* to Ceolwolph, king of Northumberland, he acquaints him, that the memoirs of the history of that kingdom, since their conversion, were unexceptionable."[1] And, in general, it may be said of Bede, that no historian could have a better opportunity of being truly informed, even as to all parts of his history. He had the perusing of the original records of the Saxon churches, as he declares himself; and, moreover, might receive, by word of mouth, all that related to St. Augustin, from those that knew him personally, as he owns he received himself what he writes, concerning St. Paulinus, from one that was his contemporary, and well acquainted with him. But, to conclude the account of king Edwin's baptism: all his children and family were baptized on the said day; then followed the laborious work of baptizing the inferior people, who flowed in, in such crowds, that Paulinus was obliged to baptize them in the river, in which, on one occasion, he spent thirty days with unspeakable toil. The fame of this general conversion was quickly carried to Rome, where Honorius I was now possessed of that see, upon the decease of pope Boniface V. He sent congratulatory letters to king Edwin, full of suitable instructions. He also created Paulinus archbishop of York, and sent him the pall. The pall was also sent to Honorius, archbishop of Canterbury, who, upon the decease of Justus, had that see conferred upon him. At the same time, this pope gave directions, that the surviving incumbent of those two sees should appoint each other a successor, to save the trouble of travelling to Rome for consecration and instalment.[2]

But now this new-converted people were thrown into the utmost confusion. Penda, the haughty king of Mercia, in confederacy with the British king (though this latter was a christian), entered with joint forces into the kingdom of the Northumbers; where, in a bloody

[1] Eccl. Hist. i. 84. [2] Bede, l. 2, c.1, 9—18.

633 engagement, king Edwin and the flower of his army lost their lives, October 12, 633, at which time, king Edwin was forty-seven years of age, and had reigned seventeen. Both church and state were then upon the brink of destruction; insomuch, that Paulinus, the archbishop, was forced to shelter himself with Eadbald, king of Kent, taking along with him the queen and the royal children. When he arrived in Kent, Honorius, archbishop of Canterbury, persuaded him to take upon him the administration of the see of Rochester, which was vacant by the death of Romanus, who, being sent sometime before, by archbishop Justus, to transact certain affairs at Rome with Pope Honorius, was unfortunately lost at sea. Paulinus governed the see of Rochester till he died. After Edwin's death, his nephews Osric and Eanfrid governed for a while, one over the Bernicians, the other over the Deiri. They had been educated in the christian religion in Scotland, but, upon this juncture, relapsed into idolatry; imagining that this method would secure the crown to them, amongst a people, who as yet were not half instructed in the duties of christian religion, and would be apt to adhere to those that revived their old superstition. By this misfortune, the gospel made backward steps, during the reign of these two princes; but being both cut off within a year, in a war they had with the Britons, the damage received through them was the less; and Bede says, that historians have agreed to exclude them from the catalogue of the kings of the Northumbers. The prince that succeeded them was Oswald, a deserving person in all respects, and one that retrieved the honour of his country, as to temporal jurisdiction; but much more by establishing the true religion, and repairing the breaches made by the late disorders. To which purpose he sent for Aidan, a Scottish bishop, who had been educated in the famous monastery of Hy, or Iona. It was by his labours, that the Bernician Northumbers were reclaimed, and confirmed in the christian religion; upon which account, he is deservedly styled their apostle. It is observed by Bede, that Aidan not being well skilled in the Saxon

language, the religious king Oswald, being master both of the Scottish and Saxon tongues, often became his interpreter in the instructions he gave to the people. King Oswald made him the first bishop of Lindisfarne, called the Holy Island, in the year 635 ; where he was afterwards succeeded by Finan, Colman, &c., and died in the year 651. Bede gives a large account of his life, and of the regulations observed by the priests that were under his direction, which were truly apostolical. One thing, indeed, he takes notice of, that Aidan still laboured under the mistake about celebrating Easter. In the year 642, a war happening between Penda, king of Mercia, and Oswald, this religious king was cut off in the prime of his days. He had performed great things, both for his country and the church ; and much greater were expected, had providence thought fit to have prolonged his life. He founded a monastery at Lindisfarne, where the bishops had their see, until it was translated to Durham, about the year 990. It is recounted by Bede, that, on one occasion, king Oswald, engaging in a fight with the Britons, who were far superior in strength, prepared his small army by fasting and prayer, and, at the same time, erected a cross in front of them. The place, where the battle was fought and gained, was called Denisbourn ; that, where the cross was erected, Heonfonfield, *i. e.* the heavenly field. The priests belonging to Hagulstad church were accustomed to go in procession hither annually, on the day of king Oswald's death, where they offered up their prayers for the repose of his soul, and performed other religious duties.[1]

After the death of Oswald, the kingdom of the Northumbers was again divided for a while. The Bernicians were governed by king Oswy, the Deiri by king Oswyn. But it was not long before a rupture happened between them ; and Oswy being too powerful, the other was forced to submit. He was afterwards put to death by Oswy ; which was looked upon as a piece of cruelty ; especially, the generality of the people had an

[1] Bede, l. 2, c. 20 ; l. 3, c. 1—3, 5, 9, 17. Ut vigilias pro salute animæ ejus acerent. Ib. c. 2.

abhorrence of the action, upon account of king Oswyn's extraordinary qualifications, both for the benefit of government and religion. Neither was king Oswy less deserving, setting aside that barbarous fact; which, notwithstanding, he in some measure atoned for, by founding a monastery at Ingethling, the place where the unfortunate Oswyn was executed; the priests of the community being under an obligation of offering up prayers for the souls of both the kings. Oswy being now sole master of the Northumbers, he applied himself diligently both to the affairs of state and church. His first great enterprise was a war with Penda, king of Mercia, who was killed upon the field, and his army entirely routed. By this means, the whole kingdom of Mercia became for some years subject to Oswy, and afforded him an opportunity of planting the gospel among them. In the next place, he endeavoured a reconciliation between the Saxons and Scots, concerning the celebration of Easter; for, though they were united in all other matters, and were joint labourers in propagating the Christian religion, yet both the British and Scotch christians still went on in their old way, of celebrating the feast of Easter at an undue time, and contrary to the practice of the universal church. To put an end to the disputes which frequently happened upon this subject, a conference was appointed between the two parties. The place of meeting was a monastery, at Streanshalch, now Whitby, where the famous Hilda was abbess. They assembled in the year 664. The Scottish custom was supported by Colman, bishop of Lindisfarne, and all his monks and clergy; as also by bishop Cedda and the abbess Hilda; besides, king Oswy himself, who was present, seemed to favour that party.[1] The practice of the universal church was maintained by abbot Wilfrid (afterwards archbishop of York), by Agilbert, bishop of the East-Saxons, the two learned priests,

[1] Bede (ib. c. 4, 17) tells us that the Scottish custom was different from that of the Jews and Quartodecimani: "non, ut quidam falso opinantur, quartadecimâ Lunâ, in quâlibet feriâ, cum Judæis, sed die Dominicâ," &c.

Agatho and Romanus, and others, to whom we may join the prince, son of king Oswy, who appeared in their cause. What Colman and his adherents chiefly alleged, in their justification, was the practice of Columba, Aidan, and others, their predecessors, whom it could be no crime to imitate, since they were persons of an unquestionable merit with all parties. Now, the substance of Wilfrid's reply was this:—He does not deny any part of the advantage of the character of those great men; he believes they meant well. But then, he adds, it was nothing but misinformation which kept them in this error; which they would willingly have laid down, had they understood the controversy more exactly. But he tells Colman and his partners, that, if they continued in their singularity, refused the regulation of the apostolic see, and went contrary to the practice of the universal church, they could have none of Columba's excuse. Upon the breaking up of the assembly, the king and audience declared themselves to be satisfied with Wilfrid's arguments; only Colman, appearing not pleased with the issue of this affair, soon after left Lindisfarne, and, going into Scotland, gave the bishops and abbots in those parts an account of the late assembly. Which we may imagine had no ill effect; for, by degrees, the Scottish and British christians laid aside their erroneous usage; so that, in Bede's time, none were found to adhere to it, only some few of the Britons that lived in the more remote parts of Wales.[1]

The next that succeeded in this kingdom was Ecgfrid, son to Oswy, a prince of a religious and commendable behaviour. Many worthy persons found protection under his reign; and all well-disposed minds were encouraged by him in works of piety. When a national council was called by Theodore, archbishop 670

[1] Bede, l. 3, c. 14, 24, 25, 26. This writer gives a particular account of the debate at Whitby, which shows, that the Scots went altogether upon a mistake of their ancestors, who were not acquainted with the discipline of the church. In another place, speaking of St. Columba's disciples, and of their computation of Easter, he says, "Permansit autem hujusmodi observantia paschalis apud eos usque ad annum Dominicæ incarnationis 716." (lib. 3, c. 4).

of Canterbury, king Ecgfrid joined with the rest of the Saxon kings, to send the learned men of his country to Herudford, now Hertford, and finish a work that was so necessary towards reforming the church, and establishing ecclesiastical discipline. He assisted Wilfrid, archbishop of York, in laying the foundation of Ripon monastery, about 672; and the like assistance he afforded to Benedict Biscop, the founder of St. Peter's monastery, at Wyremouth, about 682. As his ancestors laid the first foundation of the see of Lindisfarne, so he honoured the place, by filling it with that excellent man, St. Cuthbert, who was consecrated by Theodore, archbishop of Canterbury, in the year 685. Many wonderful things are recounted by Bede of this holy bishop, who had been abbot of Mailross; from which post he retired, and made choice of an eremetical life, from whence he was in a manner drawn by force to accept of the see of Lindisfarne; which, after two years' residence, he quitted, and betook himself to his beloved retirement. St. Wilfrid was as remarkable in a public way, as Cuthbert was for his privacy. From an abbot he became archbishop of York; where his life was attended with many controversies, and several accusations were laid against him. He was twice removed out of his diocese upon false impeachments. In one of his banishments, having embarked, for the purpose of proceeding to Rome, and prosecuting an appeal to the Pope, he was cast away on the Frisons, a people of Germany, and laid the foundation of their conversion, which, not long after, was completed by other missioners. On his return, he retired to Selsey, near Chichester, and proved the happy instrument of bringing over a great part of the South-Saxon kingdom to the true faith. In his other persecution, he appealed again to Rome, and, as on the former occasion, was successful against his adversaries. At length, therefore, he was honourably restored to his see, where he died in the year 709. In the meantime, Ecgfrid had been succeeded by king Alfred, in whose reign we meet with that admirable prelate, John of Beverley, who, in his tender years, was

educated in Whitby monastery, where the royal abbess Hilda was chief superior. Afterwards, he became a hearer of Theodore, archbishop of Canterbury, and of the learned abbot Adrian. Being perfectly qualified for the dignity, he was made bishop of Hagulstad, or Hexham; and from thence preferred to the see of York, which he afterwards resigned, and retired to Beverley, where he had founded a collegiate church of clergy. His death is placed in the year 721. Bede, who received the order of priesthood at his hands, gives a full account of his life, and of several wonderful things that were performed by him.[1]

The last king of the Northumbers, whom I shall trouble the reader with, upon the present occasion, is Ceolwolph, contemporary with Bede, to whom he dedicates his *Ecclesiastical History*. This king was a man of letters, as well as of religion, who, after a reign of a few years, resigned his crown to his kinsman Egbert, and retired into a monastery, in the year 738. So good an example, by degrees, excited his successor to imitate him; for, in the year 757, Egbert also retired into a monastery. I must not forget to mention Bede, the parent of our Saxon History, who died either in 735, or 736; nor St. Boniface, the apostle of Germany, who was made archbishop of Mentz, in 745. All historians speak of him.[2]

The first king of the East Angles, that received baptism, was Redwald, who, relapsing into idolatry through his wife's importunity, was, notwithstanding, so complaisant to the christians, as to permit theirs and the heathenish worship to be celebrated in the same temple. But his son Eorpwald, when he came to reign, was resolutely bent to admit of the gospel 632 without delay or reserve; and, while he was carrying on the work, was murdered by his infidel subjects. His brother Sibert, or Sigebert, who succeeded him, pursued the good design. He had been educated in

[1] Id. l. 4, c. 5, 12, 13, 23, 27, 28; l. 5, c. 2, 3. Malmesb. 260, 261. Flor. Wig. 566. Capgrave in vit. S. Joan. de Beverl.

[2] Malmesb. 24; Westm. 142; Surius, in June 5.

France, and well grounded in the christian religion, before he came to the crown. The person he chiefly relied upon, for the instructing of his people, was one Fælix, a Burgundian by birth, a learned and zealous bishop, whom Honorius, archbishop of Canterbury, had recommended to him for the purpose. Fælix was assisted by one Furseus, an Irish priest, who came out of his own country, and fixed himself among the East-Angles, as if Providence had directed him thither, upon this commendable occasion. Furseus afterwards went over into France, where his memory is preserved to this day. Before he left the East-Angles, he had obtained leave of the king to found a monastery at a place in Suffolk, called Cnobhersburg.[1] As for St. Fælix, he had his see at Dunwich, a sea-port town in Suffolk, which, as our records give an account, was formerly a town of great note, having six churches, besides chapels and monasteries; but, since that, came to nothing, being demolished by the Danes, and devoured by the sea. The East-Angles formerly had two episcopal sees, one at Dunwich, the other at Elmham: we have a list of some of their bishops till the Danish devastation, from which time we hear no more of them, for a hundred years. About 955, bishops were again placed at Elmham, and so continued till a little before the conquest. Afterwards, we meet with three bishops among the East-Angles, who kept their see at Thetford; the last was William Herbert, who removed his see to Norwich, in the reign of William Rufus. St. Fælix died in the year 647, and king Sigebert ended his days in a monastery. St. Fælix founded a school at Fælixtown, now called Flixton, in Suffolk, in which he had the king's assistance. And some of our antiquarians place the first rise of the University of Cambridge at this epocha.[2]

Anna, another king of the East-Angles, is distinguished for his piety and religious zeal, by Bede and other historians; and though he was unfortunately

[1] Now called Burg Castle.

[2] Bede, l. 2, c. 15; l. 3, c. 18, 19. Godwin, de Præsul. Norwic. 423—425.

killed in the wars he had with Penda, king of Mercia, yet his memory was preserved in his children, who were every way deserving of so worthy a parent. One of his daughters, called Edelburga, being sent into France, put on a religious habit, in the monastery of St. Fara, and became abbess after St. Fara's decease. Another daughter, named Etheldreda, or Edilrida, after having been twice married, obtained leave of her second husband, Ecgfrid, king of the Northumbers, to retire into a monastery; and accordingly, St. Wilfrid performed the ceremony at her admittance. Not long after, in the year 673, she laid the foundation of a monastery, at a place now called the Isle of Ely, where a church had formerly been built by St. Augustin's direction. Here she was at the head of a numerous family of religious women, and was succeeded by her sister, Sexburga, as I have already observed. It is presumed by some of our antiquarians, that she either founded a monastery for men in the same island, or that the same monastery fell into the hands of men. However, it flourished till about 870, when it was destroyed by the Danes. Afterwards, it was repaired, and certain canons had possession, till Ethelwald, bishop of Winchester, made a purchase of the island from king Edgar, about 970, and bestowed it upon the Benedictine monks. When William the Conqueror came over, several of the Saxon nobility retired hither, and made a stand against him, it being a place of considerable strength; at which time, one Thurstan, the seventh abbot, was head of the monastery. The last, and the eleventh, abbot was Richard, in whose time the revenues of the monastery being very great, and the diocese of Lincoln too extensive, an episcopal see was erected at Ely, and a competency taken from Lincoln and Ely monastery, for the new bishop's support. One Harvey was the first bishop, translated from Bangor, in the year 1109.[1]

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[1] Bede, l. 3, c. 8; l. 4, c. 19. Ingulph. 24, ed. Gale. Hist. Ely, 516, 519. M. Westm. 119.

634 Kinegils was the first christian king of the West-Saxons. He, with a great number of his subjects, was baptized by Birinus, who was sent to preach the Gospel in that country, by Honorius I, bishop of Rome. Birinus placed his episcopal see at Dorchester, and is sometimes called bishop of the West-Saxons. He died in the year 650. Kenelwalch succeeded his father Kinegils.

643 As to the first part of his reign, he may be reckoned among the worst of kings; but in the middle and latter part of his reign, he was equal to the best. He not only cast off his lawful wife, who was sister to Penda, king of Mercia, but also relapsed into idolatry. Penda, whatever he might think of the latter fact, as being himself a pagan, resented the first so far as to make war with him; and, in the conclusion, forced him to leave his kingdom. Upon which, Kenelwalch, flying unto Anna, the christian king of the East-Angles, for protection, was kindly received. However, Anna reproached him severely for his crimes; and, at the same time, by his good advice, at length made him relent, and become serious. He took to his wife again, was reconciled to the christian religion, and, after three years, was replaced in his dominions. His zeal for religion afterwards became very conspicuous. He built a stately church at Winchester; in which, and many other pious works, he was assisted by two pious and learned bishops, Agilbert and Eleutherius. Agilbert was a Frenchman by birth, educated in Ireland; from whence he came over purposely to be an assistant in the conversion of the West-Saxons. When king Kenelwalch was informed of Agilbert's qualifications, both as to his piety and learning, he importuned him to accept of the see of Dorchester, Birinus being now dead. He accepted of it. Afterwards, the king was projecting to have two episcopal sees for the West-Saxons, one at Dorchester, the other at Winchester. In the latter he placed Wini, a Saxon bishop: but Agilbert, not approving of this regulation, went over into France, where he became bishop of Paris. Soon after, bishop Wini fell under the king's displeasure, and was obliged to leave his see. By this means, the

West-Saxons were without bishops for a considerable time; and the king, looking upon some misfortunes, which had lately happened in his kingdom, to have been chiefly owing to the want of a good pastor, and being satisfied of Agilbert's merits, sent to invite him over, and take possession of his old see. Agilbert returned him a civil answer; but withal told him, that he could not remove from Paris, yet would provide him with a person in all respects qualified. Accordingly, he sent over his own nephew, Eleutherius, who was consecrated bishop of the West-Saxons by Theodore, archbishop of Canterbury. He was acceptable both to the king and people, and a singular benefactor to the monastery of Malmesbury, where the holy and learned Aldelm was made abbot by his appointment. Besides Dorchester and Winchester, we meet afterwards with several other episcopal sees among the West-Saxons, viz., Sherbourn, St. Petrock's, St. German's-Taunton, or Devonshire, and Crediton, &c.; which, by degrees, were incorporated under Exeter, Winchester, Salisbury, Chichester, &c.[1]

After the decease of Kenelwalch, the kingdom of the West-Saxons was governed for awhile by his queen; and then two princes, who by Bede are called only *sub-reguli*, divided it between them; but they not reigning very long, it fell to Cedwalla, whose courage and bravery made way for the dignity, that could not be claimed by any very near affinity of blood. He was a pagan, at his coming to the crown, but had made a promise to become a christian, if he subdued the Isle of Wight, which held out against him; and being prosperous in the undertaking, he fulfilled his promise. The inhabitants of the Isle of Wight were, at that time, idolaters, but were converted immediately after, by the procurement of St. Wilfrid, the banished bishop of York (and now labouring in the conversion of the West-Saxons), who sent his nephew, Bernwine, and another zealous priest, called Hiddila, to preach and establish the Gospel among them; which was done

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[1] Bede, l. 3, c. 7. Dugd. Monast. i. 31, 50.

effectually; and king Cedwalla, according to his promise made to Wilfrid, bestowed a considerable tract of land in the island upon him, for the use and benefit of the church. King Cedwalla would not be baptized till he had visited Rome, where he received that blessing from the hands of pope Sergius, in the year 689, and died the same year, April 20, while he was yet vested with the baptismal robe. He was buried in St. Peter's church, pope Sergius ordering a remarkable epitaph to be fixed upon his tomb, which is still to be seen. Thus finished his days the religious king Cedwalla, who voluntarily forsook his kingdom, in the height of his glory and flower of his age, being only about thirty, and having reigned only two years.[1] The next king
688 of the West-Saxons was Ina, a prince inferior to none in courage, wisdom, and virtuous inclinations, of which his story affords us many remarkable instances. He was successful in his wars against all the neighbouring princes, that disturbed the quiet of his people; and his name became formidable among the Saxon kings. He was the author of that noble foundation, the abbey church of Glastonbury, erecting it at the east end of the ancient British structure. He built also a noble church at Wells (formerly called Tidington), in memory of St. Andrew, which, about sixty years after, was made collegiate by king Kenulph, the donation bearing date 766. It was afterwards, about 905, made an episcopal see, and always under the direction of secular canons. In king William II's reign, one John de Villula was bishop of Wells, who removed the see to Bath, where he refounded a monastery, which had formerly been founded by Offa, king of Mercia, but since destroyed by the Danes. In king Stephen's reign, about 1136, one Robert was bishop of Wells; it was then ordered that the bishops should be styled of Bath and Wells, and that both churches should join in their election. Frequent disputes happened between the canons of Wells, and monks of Bath, concerning these elections. But to

[1] Bede, l. 4, c. 12, 16; l. 5, c. 7.

return to king Ina. About 727, he established the regulation for the annual payment of a penny a house to the see of Rome; which was called Rome-scot, or Peterpence. He also published excellent laws, both relating to civil and ecclesiastical matters, which he did, as it is expressed, with the advice and consent of his bishops, clergy, and nobility. Having disposed matters in this manner, for the good both of church and state, he began to turn his thoughts more seriously upon himself, and to provide more particularly for the great concern of his soul. Wherefore, having first settled the crown upon his kinsman Ethelard, he took a journey to Rome, where, as some of our historians report, he served God with great humility, in a common plebeian dress; but others tell us he retired into a monastery. He died in 728.[1]

Penda, king of Mercia, had a son called Peda, who marrying Alfleda, daughter to Oswy, king of the Northumbers, one of the articles of the marriage treaty was, that Peda should become a Christian; to which his father Penda was not averse, though he was a Pagan, and master of no good quality, besides vast abilities to support his ambition, which was without bounds. According to agreement, therefore, Peda was baptized by Finan, a Scotch bishop. And not long after, Providence ordered things so, that it proved an introduction to the conversion of all the kingdom of Mercia; for Oswy and Penda being at war, and Penda happening to be killed, Mercia became subject to Oswy; which afforded an opportunity of spreading the gospel in those dominions; especially since Peda, heir to the crown, was become a Christian, and was willing to give a helping hand. The preachers, who laboured chiefly in bringing Mercia to embrace the faith, were Scotch missioners, under the direction of the archbishop of Canterbury, viz. Finan, Diuma, Cellach, and Trumhere, who, though a Saxon by birth, was educated and or- 655

[1] Ibid, l. 4, c. 15; l. 5, c. 7. Malmesb. 14, 15. ed. Savile. Antiq. Glaston. apud Gale, iii, 309, 310. M. Westm. 135. Monast. Ang. i, 12, 13. Leland, Itin. ii. 39. Godwin, in Episc. Bath et Well. [On the origin of the *Peterpence*, see Lingard's Anglo-Saxon Church, 98, 99.—*T.*]

dained in Scotland, and, about this time, was abbot of a monastery within a few miles of Richmond, called Ingethling. While Mercia was under the administration of the king of the Northumbers, several episcopal sees were erected in those parts. Litchfield was made an episcopal see, in the year 656, of which Diuma became the first bishop, and, at the same time, was bishop of Lindisfarne. The second bishop of Litchfield was Cellach; after him came Trumhere and Jeruman; the fifth was Cedda, or St. Chad, who died in the year 672, of whom Bede gives a large and edifying account. One passage I will be bold to trouble the reader with, which is a plain proof of St. Chad's solid piety. Theodorus, archbishop of Canterbury, making his visit, seemed to suspect that St. Chad had not been ordained, according to the canons, and questioned him about it. All that St. Chad replied was, that, in case it was fact that he was not truly ordained, he was very willing to lay down his office, for he knew himself unworthy of it, and undertook it purely out of obedience. The archbishop was mightily pleased with the answer; he supplied some ceremonies which had been omitted, and established him in the two sees of Litchfield and Lindisfarne. Our historians make mention of several episcopal sees, in the Mercian kingdom, about this time, and some years after, viz. Litchfield, Dorchester, Leicester, Sydnecester, Worcester, and Hereford, which last became an episcopal see about 680, one Putta being the first bishop. At the same time, a monastery of nuns was founded at Gloucester, which was destroyed by the Danes, and lay waste till 1058, when Alfred, archbishop of York, rebuilt and refounded it, for the use of Benedictine monks. There was another monastery of nuns founded in Oxford, about 730, by one Frideswida, a religious virgin, daughter of Didan, or Didacus, a noble Saxon of the kingdom of Mercia. This monastery flourished till 847, when it was destroyed by the Danes. Afterwards, being repaired, it became a cell to Abingdon monastery. Lastly, it was made an independent priory, and stocked with regular canons, in the reign of Henry I. What fate it

had afterwards will be seen in the story of cardinal Wolsey, who erected his famous college upon that foundation.[1]

We meet with several other good kings that governed the Mercians, namely Ethelred, who retired from the world in 704, and died in a monastery. I cannot omit that remarkable miracle which happened in his reign, and which Bede relates very advantageously towards establishing its credit. In a battle between the king of Mercia and another of the Saxon princes, one of the soldiers, who was thought to be killed, happened to be only taken prisoner. After much enquiry he could not be heard of. Now a certain holy priest, his particular friend, was so good as frequently to offer up mass for the repose of his soul, supposing him to be dead. The prisoner being afterwards released, related to all his acquaintance, that, at a certain time, on such particular days, his fetters usually dropt off his legs. Bede is so circumstantial as to add, that he heard this account from several, that had it from the person to whom it happened.[2] I leave the reader to make his reflections.

The next king of the Mercians was Kenred, nephew to Ethelred, who endeavoured to copy out his uncle's perfections. And he was a good proficient; for, after six years' reign, he forsook the world, and travelled to Rome, with Offa, king of the East-Saxons, where they both ended their days in a monastery. They left their country in the year 709. Kenred, at his departure, settled the crown upon his kinsman Coelred, a lewd prince, and far from following the good example that went before. His behaviour and frightful exit appear in a letter, written from abroad by St. Boniface, apostle of Germany, to Edilbald, otherwise Ethelbald, his successor, wherein the saint vehemently exhorts Edilbald to take warning at Coelred's fate (for Boniface was in-

[1] Bede, l. 3, c. 24, 28; l. 4, c. 2, 3. Higden, Polychron. 206, 207. Paris, 54.

[2] Bede (lib. 4, c. 22), speaking of this miracle, says, "Intellexerunt enim quod sacrificium salutare ad redemptionem valeret et animæ et corporis."

formed he was addicted to the same vices), who, for robbing the church, and seducing virgins consecrated to God, was snatched out of the world, from among his nobles, at the head of a feast, without the happiness of confessing his sins, or receiving the sacrament, all the while muttering frightful words, as if he were talking with the devil.[1] It does not appear directly how Edilbald received this reprimand; but, by what happened after, we may guess he made a proper use of it; for Cuthbert, bishop of Mercia, in a little while called a council for the reformation of his district: it assembled at
747 Cloveshoe, whither king Edilbald repaired with thirty-three of his nobility. This circumstance, with his settling Croyland upon the monks, has a good aspect, and seems to import as if he was now become a new man.[2]

The next king of Mercia, who deserves to be taken notice of, upon the present occasion, is Offa, in whom we may observe a variety of behaviour. In his youthful days, virtue and vice struggled very hard for a superiority; in the issue, ambition or love of power seems to be the passion he was mostly transported with. This pushed him upon methods, which bore hard upon the liberties of his subjects, both civil and religious. In the latter respect, he had some contests with Lambert, archbishop of Canterbury; wherein he discovered somewhat of revenge, as well as ambition. His scheme was this: having great power with pope Adrian I, he obtained his consent that the see of Litchfield might be made archiepiscopal; which he brought about (as it appeared afterwards) by fraudulent methods and misinformation. However, by this means, Canterbury was

[1] Cœlredum, predecessorem tuum, stupratorem sanctimonialium, et ecclesiasticorum privilegiorum fractorem, splendidè cum suis epulantem, malignus spiritus eripuit, et sine confessione et viatico, cum diabolo sermocinanti, et legem Dei detestanti, animam extorsit. S. Boniface, Epist. ad Ethelbaldum.

[2] Bede, l. 4, c. 22; l. 5, c. 20. [The settlement of Croyland was made in 716, immediately on his accession to the throne (Ingulph, 2). Other similar acts, however, of pious munificence were not wanting, after the period in question. See Cressy, p. 609.—*T.*]

stript, and several of its suffragans put under the new archiepiscopal see of Litchfield. I might mention some instances of the like nature, in regard of the civil rights of his people; but they are foreign to my design, and both the one and the other ought to be buried in oblivion, seeing that, in the rest of his reign, his passions were under a better direction. He discharged the church, where it lay under any oppression; he ordered the laws for tithes to be strictly put in execution; and was remarkably bountiful to the see of Hereford. He founded a monastery at Bath. He caused a search to be made at Verulam, where, under the ruins of an old British church, formerly erected in honour of St. Alban, he met with the relics of that saint's body, which he inclosed in a rich shrine, and, in the year 794, founded there a stately monastery, which he plentifully endowed with lands and royal privileges. Afterwards, his zeal carried him to Rome, where he paid his respects to pope Adrian, and settled the collection, called Peter-pence, upon the holy see. Then, returning into his own country, he died soon after.

Egfert, or Egfred, who was son and successor to king Offa, pursued his father's good design, in making restitution to the church. He was succeeded by Kenulph, who may be compared with the best of our kings, for integrity of life and public abilities. This king corresponded with Pope Leo III, about restoring the liberties of the see of Canterbury, and sent Athelard, archbishop of Canterbury, to Rome, upon that affair. Pope Leo, after a full hearing of the case, ordered, that Canterbury should enjoy its ancient privileges, namely, a jurisdiction over twelve suffragans, according to the first establishment under Ethelbert, king of Kent, and St. Augustine, accordingly as they had been directed by pope Gregory the Great. At the same time, the grant of pope Adrian I. to king Offa, whereby Litchfield became an archiepiscopal see, was declared surreptitious, and revoked. King Kenulph founded the monastery of Winchcombe, and died in the year 819. The last of the Mercian kings, was

Bertulph. He was driven out of his kingdom by the Danes, and, travelling to Rome, ended his days there.[1]

661 Christianity first passed to the South-Saxons about 661, under king Ethelwold, otherwise called Edilwalch, who was baptized at that time by Trumhere, bishop of the Mercians, Wulfhere, king of Mercia, assisting on the occasion: but it was chiefly by the preaching

681 of St. Wilfrid, the banished bishop of York, that the conversion of the kingdom was effected; for Wilfrid, being expelled out of his diocese of York, retired hither, and, having the island of Selsey, near Chichester, bestowed upon him for a place of residence, he founded a monastery there, and afterwards an episcopal see, having first converted all the inhabitants. He remained in Selsey about five years, and then was replaced in his see at York. Sussex and Hampshire were part of the diocese of Winchester, till about the year 711, when one Eadbright, abbot of Selsey, is found to enjoy the title of bishop. After his decease, that title was sunk, till about 733, when we read of other bishops of Selsey; at length, in William the Conqueror's reign, the see was fixed at Chichester.[2]

I am now brought to the close of the Saxon heptarchy, and have finished the account of ecclesiastical affairs, during the 200 years, that passed between the first conversion, and the union of the several kingdoms under one monarch. But before I proceed any farther, it will not be unseasonable to pause awhile, and contemplate the wonders of divine Providence, in the foundation and progress of Christianity among our Saxon ancestors, with the surprising effects of grace upon their minds, which excited them so generously to despise all that was great and engaging, to embrace the humble methods of the Gospel.

"We meet," says the protestant historian, Collier,

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[1] Malmesbury, l. 1, c. 4, p. 30—33. ed. Savile. M. Paris, in vit. Offæ, 984—988.

[2] Bede, l. 4, c. 13, 15; l. 5, c. 19. Eddius, p. 72, 73.

" with several English princes, that have taken leave of the world in this manner. I know their conduct is censured by some writers, as if they grew chagrined, by finding their ambition crossed, retired to cover their defects, and screen themselves from the odium of mal-administration. I shall not pretend to enter upon a disquisition of the point any farther than to observe, that we ought to be very favourable in our conjectures upon this matter; for though, probably, it might have been more for the benefit of the government, if they had not gone off, though their good qualities would have made them extremely valuable upon the throne, however, we must grant their meaning was very commendable in retiring. To quit a life of pomp and power, to exchange the pleasures and liberties of the court, for a state of restraint and mortification; to do all this, in the bloom of their youth, when their fortune is so well established, and they have both leisure and inclination to enjoy the advantages of their birth, can proceed from nothing but a predominancy of virtue and conscience, and a noble disregard of secular greatness; of secular greatness, I say, in competition with the glories of the other world. Besides, their example may be serviceable to others in a lower station, who, though they do not imitate their manner in every circumstance, and follow them to a cell; yet the force of such royal precedents may refresh the idea of religion, and make them more solicitous for the security of their future state."[1]

In another place he says, "those, who did not conceive themselves obliged to such lengths of self-denial, laid out part of their revenues in the building and endowing of churches, in founding houses for learning and education, and for the benefit of retirement and devotion.—If these princes, instead of assigning part of their fortune to religious uses, had invaded the altars, squandered away the patrimony of the church, and spent the consecrated revenues upon their vices, their case would have

[1] Eccl. Hist. i. 120.

been much worse."[1] And, indeed, it must be the highest flight of prejudice, to give it no harsher name, thus to arraign and depreciate the very best actions christians are capable of. If building churches, erecting pious foundations, and relinquishing all in this life for the sake of the other, must be censured, traduced, and ridiculed, Christianity itself has but a very feeble prop to support it against infidelity and atheism. The poverty of Christ and his apostles will come under the same censure, and the Gospel may be represented as a method only for indolence and laziness, rather than for becoming happy in a future life.

Egbert was the first among the Saxons, who could pretend to an universal superiority over the other princes of the heptarchy; and this was not much more in his reign, than that he had made them tributary to him; for some of the heptarchy still retained the title of kings.[2] Egbert was king of the West-Saxons, and having learned the art of war from Charles the Great, while he was in banishment in France, he returned an expert soldier, and not only regained his own crown, but brought all the others under subjection. He returned from France in the year 800, some few years before the death of the learned Alcuin, who died in 804, and of Charles the Great, who died in 814. I shall take no notice of the warlike performances of king Egbert; nor can much be said of ecclesiastical affairs during his reign, which were very much at a stand, upon account of the continual wars, and the ravaging Danes, who now began to spread themselves all over the neighbouring countries, and, among others, very much infested the coasts of this island. One thing, I find, is taken notice of, that he gave orders to have the English school at Rome rebuilt, which had formerly been founded there by the two kings, Ina and Offa, and had lately been destroyed by

[1] Ibid, p. 4. *To the reader.*

[2] [The truth is, that, though styled by Huntingdon (345, ed. Savile) "Monarcha Britanniæ," Egbert was no more than what others had been before him, and what was then called "Bretwalda."—*T.*]

fire.[1] King Egbert died in the year 836. He was succeeded by his son, Ethelwulph, whose reign was still disturbed by the Danes. Yet this hindered him not from performing several good actions worthy of remembrance, wherein he was assisted by two great prelates, Swithin, bishop of Winchester, and Alstan, bishop of Sherbourn. He made strict laws concerning the duty of tithes; and the school at Rome being burnt a second time, about the year 847, he ordered it to be repaired again. Towards the latter end of his reign, he took a journey to Rome, to visit pope Leo IV, taking his youngest son, Alfred, along with him, and leaving him there for the sake of education. How much this young prince profited there, appeared afterwards, when he came to possess the throne. Before king Ethelwulph died, which was in the year 857, he made his will, and, among other pious legacies, left a yearly rent of 100 mancuses, to be laid out in oil, for the use of St. Peter's church in Rome; the same sum, for the same purpose, he left to St. Paul's, as also 100 mancuses more to the bishop of Rome. About this time, flourished Nennius, the British historian, whom some are pleased to distinguish by the name of a second Gildas.[2] 836 857

After Ethelwulph reigned Ethelbald, whose successor was Ethelbert, who were both kept in full employment by the Danes. Nor was this island the only country that suffered by these barbarians; for, about the year 850, they had entered into Neustria, afterwards called Normandy, and not long after got a settlement there. The next monarch of this island was Ethelred. During his time, the Danes entered far into the country, and made desolation wherever they came. They utterly destroyed the famous abbies of Ely and Peterborough, with many others taken notice of by our historians. At length,

[1] [The school was burnt in 817: but Anastasius attributes its restoration, not to Egbert, but to pope Paschal. "Unde postmodum ter beatissimus pontifex... eorum domicilia sicut ante fuerant restauravit." In Paschale, apud Baron. An. 823.—*T.*]

[2] Asser, 155—158. ed. Gale. Malmesb. 38.

Ethelred, having spirited up his people, attacked the invaders, defeated them in an obstinate engagement, and left their king, with a number of his chief nobility, dead upon the field. It is reported of him, that he came off victorious in nine engagements he had with those barbarians.[1]

872 Alfred, otherwise called Alured, the youngest son of king Ethelwulph, was the next that sat at the head of the Saxon monarchy, which he took possession of in the year 872. He maintained a nine years' war with the Danes, who had now posted themselves in the heart of the kingdom. By degrees, they stript him in a manner of all his dominions; so that he was obliged to retire alone into a small island, afterwards called Æthelingey, or Prince's Island; where, as the writer of his life reports, St. Cuthbert appeared to him, and gave him hopes of success, if he would attempt to recover his country. This vision encouraged him; he rallied his scattered forces, and, in a little time, he not only overcame the Danes, and brought them to terms, but persuaded a great many of them to embrace the christian religion; and, to encourage them the more, he suffered them to plant themselves among the East-Angles and Northumbers. Nay, he still showed them greater civilities: some of the chief of them were placed over the aforesaid provinces, in quality of viceroys. By this means, he purchased peace to the whole kingdom. His next labour was, to see a good regulation established, and kept up, both in civil and religious matters. He was provided with persons excellently qualified to carry on his religious designs; among whom those of greatest note were, Werfrith, bishop of Worcester; Plegmund, archbishop of Canterbury; Æthelstan and Werwulph, two of his chaplains; Grimbald, a learned monk; John, a monk, afterwards abbot of Æthelingey, who was murdered, whom William of Malmesbury erroneously takes

[1] Asser, 155, 158, 163. Ingulph, 22–24. [In the former edition of this work, the destruction of Peterborough, and the other ravages of the Danes, were assigned to the reigns of Ethelred's two predecessors. I have transferred them to their proper place.—*T.*]

to be Johannes Scotus Erigena; and Asser, almoner to the king, and afterwards bishop of Sherbourn.[1] By the assistance of these learned men, the king did not only carry on the affairs of the church with success, but also improved himself in letters, though he applied himself late; however, he became so much master of the Latin tongue, as to be able to translate into the Saxon language, the history of Orosius, St. Gregory's *Pastoral*, Bede's *Ecclesiastical History*, and Boetius *de Consolatione Philosophiæ*, with some other performances. As to his economy in private life, he was very regular and constant. He divided the twenty-four hours into three parts; eight whereof he employed in reading, writing, and praying; eight in sleep, nourishment, and other corporal necessities; the other eight in public affairs. He observed the same method in regard to his revenues, which he divided into three portions, wherein the poor, the church, and the expenses of his family, were equally considered. This account is given by Asser, who was his domestic chaplain, and an eye-witness; who farther adds, that he attended at the sacrifice of the mass every day, was accustomed to frequent the church in the night time, and join with the priests and monks in their public prayers.[2] Besides the good laws, which regarded civil matters, he made others to support the discipline of the church; particularly, those that violated the precept of fasting, in Lent, were to be severely punished. He ordered an anniversary feast of pope Gregory to be solemnly observed, as also the observation of the Ember-days, called Quatuor Tempora. Now, as to the pious foundations, which he either was author of, or chiefly instrumental in, I will mention those which

[1] [Usher (in Indice) denies that Asser was bishop of Sherbourn, but asserts that he was archbishop of St. David's. He is contradicted, however, first, by Asser himself, who, speaking of the archbishop of St. David's, calls him "propinquum meum" (De rebus gestis Ælfr. p. 15); and secondly, by Alfred, who, having mentioned Plegmund as his "Ærcebiscope," immediately adds, "æt Assere minon Biscope." Pref. ad Past. Greg. Mag. p. 26.—*T.*]

[2] Missam quotidie audire, psalmos quosdam et orationes, et horas diurnas et nocturnas celebrare, et ecclesias nocturno tempore orandi causâ clam à suis adire solebat, et frequentabat. Asser, in vita Alfredi, 13. ed. Camd.

occur to me at present. About the year of our Lord 879, he began to repair the monasteries that had been endamaged or destroyed by the Danes, in the several incursions they had made. He founded the three monasteries at Æthelingey, Wilton, and Shaftesbury, the last being a house for religious women. About 883, he assembled a select number of learned men at Oxford, whom he employed to read lectures in a methodical way. Here the university of Oxford placeth the date of its foundation, and king Alfred is looked upon as the founder. The learned men, who were employed upon this occasion, were, Neot, a Briton, from Cornwall, Adolph, a Saxon, Plegmund, Johannes Scotus Erigena, an Irishman, invited from France, Grimbald, a monk, from St. Bertin's monastery in St. Omers, with several others; among whom, I must not forget Asser, the bishop of Sherbourn, and the author both of the *Life of Alfred*, and of the *Historical Annals* which bear his name.[1] I have nothing more to add relating to these times, only to observe, that, when several episcopal sees were erected under archbishop Plegmund, in the West-Saxon kingdom, and bishops consecrated for that purpose, there were some that came out of Wales to be ordained by him, as others had been soon after St. Augustin's time; which is a proof, that there was a constant communication, notwithstanding the controversy about Easter, and the continual wars between the Britons and Saxons; for, as it is very well observed, in the Preface to John Stow's *Chronicles*, "In all this controversy, the religious persons on either part agreed in the full substance of faith, and administration of the sacraments; and would have been in unity and amity, if it had not been for the division of their princes in their temporal estates and affairs."[2]

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[1] Asser, de Reb. Gest. Ælfr. 18—20. Malmesb. 44, 45. Harpsf. sæc. 9, c. 5.

[2] [The sees, erected by Plegmund, were those of Cornwall, Wells, and Devon, which had hitherto belonged to Winchester and Sherbourn (Malmesb. 48). Richardson, however, in his notes on Godwin, has shown, that the new bishops could not have been consecrated before the year 809, or 810. De Præsul. 209. See also Lingard, Ang. Sax. Ch. 168, note.—*T.*]

Edward, called the Senior, son to king Alfred, was the next that succeeded to the throne. In his reign, the monarchy was more closely knit together, the tributary viceroys being obliged to a greater dependency. Edward was a prince of strict justice, and made several wholesome laws, in conjunction with his nobility and clergy, both relating to temporal and spiritual matters. He had several children, among whom, three of his daughters entered into a monastic state. 901

Edward was succeeded by his son Æthelstan. He was a powerful prince, and brought both the Scots and Britons to such terms, as to pay him tribute. His usual saying upon that occasion was, that it was more glorious to make kings, than to be a king. The Danes, both those that inhabited in England, and others from abroad, attempted to give him some disturbance; but he quickly suppressed the one, and repelled the other. In one conspiracy against him, a certain nobleman, called Alfred, was said to be concerned, who offered to purge himself, by oath, before pope John X, and went to Rome for that purpose. The oath was administered to him, before the altar in St. Peter's church; which he had no sooner taken, but he dropped down, as if he were dead, expiring three days after. His estate and effects were judged to the king, who bountifully bestowed a great part of them upon the monastery at Malmesbury. The foundation of three religious houses occurs in king Æthelstan's reign, viz. Pilton priory, Middleton, and Mitchelney. He repaired several monasteries that had been destroyed by the Danes. He assisted his bishops and clergy, who met in Concilio Greatleyano, where several good regulations were made; viz. a law for the more punctual payment of tithes; and another, whereby bishops were empowered to sit sometimes in courts of judicature, to inspect the actions of the civil magistracy.[1] He died in 924

[1] Debent episcopi cum sæculi judicibus interesse judiciis, ne permittant, si possint, ut illinc aliqua pravitatum germina pullulaverint. Brompt. 845.

the year 940, had a short reign, but crowded with merit.[1]

940 Edmund was the next Saxon monarch after his brother Æthelstan. He copied out the best part of his predecessors' lives, and was successful both against the rebellious Northumbers, and the Britons: from these last he wrested five strong cities. St. Dunstan was his constant adviser in all spiritual matters; for whom he founded a monastery, and placed him abbot. Edred, brother to Edmund, then stepped into the throne, equal to his father and brethren, in all desirable qualifications. He consulted abbot Dunstan in all affairs of moment, both spiritual and temporal; and entertained a great regard for churchmen in general;—a feeling, which, in the case of Wulstan, archbishop of York, who had conspired against his throne, induced him to pardon the offender, after an imprisonment of only a few months. Edred survived his brother Edmund nine years. Edmund died in 946, Edred in 955.[2]

955 Edwy was son of Edmund, and successor to Edred; but very much degenerated from his predecessors, in point of behaviour and integrity of life. He had a strong inclination for many vices; but the love of women was his darling passion, which he pursued to the great scandal of his subjects. An instance of this propensity occurred on the day of his coronation; and Dunstan, with one of the bishops, was deputed by the assembled nobles to remonstrate with him on the impropriety of his conduct. The result was such as might have been expected: the king, or his mistress, was enraged, Dunstan was banished, and the monks in general were persecuted upon Dunstan's account. Some of our modern writers are so transported with partiality, that they represent Dunstan as a proud, turbulent, covetous prelate, and that he made it his whole business to enrich the monks with the spoils of the public, and that he

[1] Malmesb. 47, 48, 50, 52.
[2] Huntingdon, 355, ed. Savile. Osbern, apud Angl. Sac. ii. 99—102. Malmes. 55, 269. Hoved. 423.

was banished by the king upon those accounts. But the reader needs only consult the historians of those days, to be convinced of the contrary.[1] However, we are told that king Edwy turned off his mistresses, and repented before his death, which happened in the year 959.[2]

Edgar was brother to Edwy, and his successor in the royal dignity. He was the honour and delight of 959 the English nation, whose days were spent in a continual calm, since none had any inclination to disturb him at home, nor durst any one venture to attack him from abroad. Matthew Westminster gives us almost an incredible account of his power and magnificence; that he entertained a fleet of 4800 ships, and, at a certain time, was rowed upon a river by eight petty kings.[3] But I leave the relation and disquisition of such matters to others; my purpose is to take notice of him, only as a christian, and patron of religion. His first care was, to have Dunstan recalled from banishment, whom he knew to be a man of merit, and very useful upon any religious occasion. He himself, at his first setting out, gave the world a convincing proof of the disinterested zeal of this holy man, who, though he had promoted him to the episcopal dignity (being first bishop of Worcester, and afterwards archbishop of Canterbury), yet this consideration did not tie him up from reproaching his royal benefactor with the wicked fact he had committed, in keeping a mistress whom he had decoyed out of a monastery, though it was before she had made her vows. The king was so far from resenting the advice (as his brother Edwy had done in the like case), that he fell down upon his knees before his pastor, entered into a

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[1] "Vir totus ex virtutibus factus:" St. Dunstan's character, by Eadmer, lib. 2. Histor. Novellorum, in principio.

[2] Osbern, 104—106. [For the account of Edwy's conduct on the day of his coronation, and the real cause of Dunstan's banishment, the reader cannot do better than turn to the narrative of Dr. Lingard, History of Eng. i, 233, 234, 543—548. I quote from the 4to. edition.—*T.*]

[3] [Malmesbury, Simeon, and Mailros, make the number of ships 3600. The probability is, as Dr. Lingard has observed, that even from that amount a cypher should be retrenched.—*T.*]

course of penance, and, by the sequel of his life, gave a plain demonstration of the sincerity of his heart. The great work which he had upon his hands was, jointly with the bishops, to restore the discipline of the church, as to several abuses, which had reigned a long time among the inferior clergy, who, during the Danish invasions, having nobody to inspect their behaviour, were grown very licentious; and the capital abuse many of them had been subject to, was, that of having taken wives, contrary to the canons of the church. The persons, employed by the king to reform the clergy in this point, were the three bishops, Dunstan, Oswald, and Ethelwold, who had all been bred up in a monastic way. Now, the method they took, was, not only to oblige the married clergy and canons to put off their wives, but even to turn out all the canons from many of the chief cathedral churches, and place monks in their room. The first point was thought very just and reasonable, but, in the other, the clergy looked upon themselves to be very hardly dealt with; and therefore they did not only oppose that new regulation, but several of the nobility took part with them, appealing to the original foundation of those communities, and alleging, that, though a reformation of particular persons was commendable, yet why should the whole suffer for the delinquency of a part, and whole bodies be deprived of their right and original claim? But there was no room to dispute matters with the supreme power. The king had espoused the cause of the monks; so the new regulation must go on. It is true, there were great abuses among the clergy in those days, as it appears by the king's speech now extant, wherein he dilates himself upon their scandalous behaviour. The speech was made in a synod held upon this occasion, in the year 969. He mentions the reigning vices they were subject to, and the necessity there was of a reformation, and that the refractory party ought to be confined within some monastery; yet, at the same time, he puts the bishops in mind, that they had slept over their duty, and not taken care to have those abuses remedied in

due time. Then he concludes, that, as he held the sword of Constantine, so they held the sword of Peter, and therefore they ought to join in concert, and purge the house of God.[1] Several other synods were held under this religious king, wherein, jointly with his bishops, he made several laws relating to church affairs; namely, concerning fasting, confession, celibacy of the clergy, &c. and, among other things, the law for Peter-pence was confirmed, and enforced with severe penalties. During this time, all hands were at work, in repairing those monasteries that had been destroyed by the Danes, and forty religious houses are said to have been recovered, and put in a good state, by king Edgar. Neither were others backward in promoting the same cause. In the year 961, Tavistock abbey was founded by count Ordgar; in 969, Ramsey abbey was founded by count Ailwin; and about 979, queen Elfrida, wife to Edgar, laid the foundation of two monasteries, one at Warwel, the other at Ambresbury. King Edgar died in the year 975. Besides his legitimate children, he left a daughter by Wilfrida, the young lady he took out of a monastery. This daughter was called Editha, who proved to be a lady of remarkable virtue, which took off from the blemish of her birth.[2] 975

Edward, styled the Martyr, succeeded his father, king Edgar. His stepmother, Elfreda, laboured hard to disappoint him of the crown, in favour of her own son, Ethelred; which not being able to effect, she never was at rest till she had placed him upon the throne; which at last was done, by causing Edward to be assassinated. The voice of the people made him a martyr, according to the style of those days. In king Edward's reign, the clergy, ejected out of their churches in the late

[1] Ego Constantini, vos Petri gladium habetis in manibus: jungamus dexteras &c. Ælredus in Genealog. Reg. Angl. apud Twysden, 362. [This speech, however, was probably composed by one of the monks.—*T.*]

[2] Malmesb. 60; Osbern, 107, 111; Eadmer, apud Ang. Sacr. 200, 218; Ingulph, 45, 47; Westm. 191, 192; Spelman, Conc. 447; Dugd. Monast. i. 191, 231. [For an interesting account of the clerical and other reforms, introduced during the present reign, the reader should consult Dr. Lingard's Antiquities of the Ang. Sax. Church, 408—421, 425—428.—*T.*]

reign, began to renew their complaints. They insisted, that they lay under a manifest oppression from their adversaries, who, upon a pretence of zeal, were working their ends, more to satisfy their avarice and ambition, than for God's honour; that it was contrary to the law of God, law of nations, and common honesty, to be deprived in the manner they were, of what they, in some measure, might call their birth-right. These arguments appeared so popular, that a great part of the nobility made another push to have them replaced. At length, two synods were called, to put an end to this grand debate; one was held at Winchester, the other at Calne, where the monks gained their point. Our historians report, that two remarkable miracles pleaded for the monks; that, at Winchester, an image spoke, and declared against the clergy, in the hearing of the synod; that, at Calne, the apartment falling down, many of the clergy, with their adherents, were crushed to death; whereas Dunstan and his followers remained without any harm. It is observed by some of our historians, that, in this king's reign, several British bishops were ordained by the archbishop of Canterbury, two whereof were bishops of Landaff, the one named Gucan, or Gogwan, the other Bledri. This, more or less, had been a custom almost from St. Augustin's days; which is a proof that there was no breach between the two nations in religious matters, or that the Britons rejected the metropolitic power of the see of Canterbury.[1]

978 Upon the death of Edward, his brother, Ethelred, succeeded. His ill-management ruined the Saxon monarchy, and prepared the way for the Danes and Normans, who soon after became sole masters of the kingdom. The Danes had threatened him, for some time, and, in the year 1001, they actually invaded his dominions; who, being an indolent prince, rather than risk the cause by a tedious war, came to terms, and

[1] Osbern, 112; Eadmer, 219, 220; Malmesb. 61. [On the catastrophe at Calne, and the supposed miracle of the crucifix speaking at Winchester, see Lingard, Ang. Sax. Ch. 430, 431, and Hist. of Eng. i. 250.—*T.*]

obliged his subjects to pay an annual tribute, which was raised by way of tax, from which, notwithstanding, the church was exempted. This inglorious treaty was far from being pleasing to the people; nor was the king himself content with it, it being a force upon him; wherefore, he studied to take revenge of the Danes, that were his subjects, and who, for many years, had been naturalized, and incorporated with the rest of his people, whom he caused to be butchered all over the kingdom, on St. Brice's day (November 13), in the year 1002. This piece of barbarity not only made the king odious to the Danes abroad, but even to his own subjects. When Sweno, king of Denmark, was informed of these proceedings, he judged it to be a sufficient provocation to begin a war, and attack England; which he did with a formidable army, and by degrees drove Ethelred out of the kingdom; who retired into Normandy in the year 1013, taking along with him his queen, Emma, sister to duke William, with her two sons, Edward and Alfred. During this war, England was a scene of misery; king Sweno and his merciless army plundering and destroying all places, without distinction; especially, the city of Canterbury suffered very much by them. They besieged it, and burnt it, in the year 1011, at which time, Elphege was archbishop,[1] whom they first cast into prison, then offered him his life and liberty, upon paying down a sum of money. He told them, their demand was so extravagant, that it was impossible for him to procure such an immense sum. His friends advised him to dispose of the plate and treasury of his church, to raise the money; but this he refused, alleging, that nothing but the necessities of the poor could justify what they advised him to. Upon this, the barbarians, having first tortured him very severely, cut off his head, April 19, 1012. From this prelate, the sixth in succession was Lanfranc, who was consecrated

[1] Vir certe præclarus, et ob plurimos animi dotes, præcipue vero morum vitæque sanctitatem, nunquam satis laudatum.—Godwin, de Præsul. in vitâ Elpheg. p. 54.

in the year 1070. The people always had regarded Elphege as a martyr; but Lanfranc demurred concerning that point, till his scruple was removed by Anselm, who wrote to him from Normandy upon the subject. Anselm alleged, that he suffered death because he would not deliver up the goods of the church; which was the case of St. Laurence. Some of our historians report, that king Sweno was taken off by the hands of king Edmund, whom the Danes had, some years before, murdered, this holy king appearing to him, and putting an end to his miserable life, in the year 1014. Upon his decease, his son, Canute, pursued the conquest. To oppose him, the Saxon nobility called over Ethelred from Normandy,
1016 who made a stand till 1016, when he died, and left his son Edmund, named Ironside, to carry on the war; which he did with singular bravery, the Saxons having now recovered their spirits; and might have entirely driven out Canute, if his chief general, Edric, had not revolted to the Danes. However, he came to terms with Canute, and the agreement was, to divide the kingdom, and the survivor to possess the whole. Soon after, the traitor Edric, Count of Shrewsbury, thinking to ingratiate himself with Canute, is said to have murdered king Edmund; by which means Canute reigned solely. In the reign of king Ethelred, the abbey of Burton was founded by Wilfric Spot; and, in the same reign, the see of Lindisfarne, or Holy Island, was removed to Durham, where bishop Aldwin built a church, in or about the year 995.[1]

1017 Canute began his reign in 1017; a prince of very desirable qualifications, who, though he obtained the kingdom against law, yet governed it by law. He very politically married Emma, king Ethelred's relict; by which means, he managed a reserve both with the Normans and English. The first became less solicitous about restoring the old branch, in hopes that Emma, one of their own blood, might have an heir by Canute, to

[1] Flor. 611, 618. Malmesb. 64. Hunting. 360. Westm. 200, 202. Osbern, 135—141. Harpsf. sæc. xi. c. 9. Annal. Burt. 246. Ang. Sac. i, 701.

inherit the crown; the latter were well pleased to see their old queen replaced in the throne. Again, he was a complaisant conqueror, equally employing the English and Danes in all places of trust. He was particularly obliging to the clergy and religious, ordering their churches and houses to be repaired, which had suffered extremely by his father's and his depredations. And among works of piety, he founded a noble monastery at St. Edmundsbury, in 1020, in memory of King Edmund, who lost his life there by the cruelty of his Danish ancestors. He founded another monastery at Holme. The respect he showed to Elphege's memory, archbishop of Canterbury, who was murdered by the Danes, was very pleasing to the English; he ordered his body to be translated with great ceremony from London to Canterbury, in the year 1023. In the year 1031, he complied with a vow he had made of visiting Rome, where he made very noble offerings to the holy see, in honour of St. Peter. He was kindly received there by pope John, and the emperor Conrad, who obliged him with certain privileges, and exemptions from taxes, which were usually paid by strangers that travelled to Rome, but, for the future, should not be demanded either from the Danes or the English. He had, in this journey, several grievances redressed, concerning the pall that usually was sent to the archbishops, on which occasion, the pope's officers had been too exorbitant in their fees.[1] During his reign, we meet with a great many ecclesiastical laws, made by the joint consent of the king and his clergy; among which, some prescribe tithes, first-fruits, Peter-pence, &c.; others forbid trafficking and hunting upon Sundays, restrain marriage within the sixth degree, and order parish dues for funerals to be paid upon the spot. One passage I must not omit, concerning king Canute, because it carries a good moral, and is very instructive. It is reported of him, that he caused a throne to be placed

[1] [Of the object and issue of this journey Canute himself has left us an interesting description, in a letter which has been preserved by Ingulph (59), Florence (620), and Malmesbury (74). A translation of it may be seen in Lingard, Hist. Eng. i. 285-287.—*T.*]

on the sea-shore, within the flood-mark, and, at the same time, placed himself upon it, and seemingly commanded the waves not to come near, or incommode him. As the waves came rolling towards him, he cried out, "Oh! how vain is the power of kings! No one is worthy of that name, only he whom the earth, heavens, and sea, are obliged to obey." Afterwards, he never would wear his crown of gold, but ordered it to be placed upon an image of Christ crucified. This great king died on the twelfth day of November, in the year of our Lord 1035, and was succeeded by his na-
1035 tural son, Harold, who was acknowledged king, indeed, but neither with the good-will, nor to the liking, of any of his subjects, Danes or English. Alfred, son to king Ethelred, made an attempt to recover his right, in 1036; but he was betrayed and given up by duke Godwin, was dragged to the isle of Ely, and, having been deprived of his eyes, died a few days after. King Harold also banished queen Emma, and died in the year 1040. He was succeeded by Hardecnute, who reigned only two years, dying in 1042.[1]

Edward, styled the Confessor, son of king Ethel-
1042 red and queen Emma, succeeded Hardecnute, and, at the same time, put an end to the Danish succession. All historians in general give a good character of him, both as to virtue, which he was provided with to an eminent degree, and all other good qualities, required to make a nation happy as to government. And yet William of Malmesbury describes him in such a manner, as if he were a person of no extraordinary natural parts, which, he says, upon all occasions, were abundantly supplied by supernatural gifts, which answered all purposes, both in a civil and religious way. Hence, he says, he was loved and feared, both at home and abroad, merely upon account of his virtue, and because heaven visibly appeared in his interest, in all his undertakings.[2] However, as good men are mostly subject

[1] Malmesb. 73, 74. Brompton, 918—932. Hunting. 364.
[2] Vir propter morum simplicitatem parum imperio idoneus, sed Deo devotus,

to be misled in point of politics (a misfortune which attends pious credulity), so king Edward was too much influenced, for awhile, by the subtle and powerful Godwin, earl of Kent, and by Robert, archbishop of Canterbury. He had married Editha, the earl's sister, and the archbishop had been his intimate acquaintance, when he lived in banishment in Normandy. They persuaded him to strip his mother, Emma, of all her substance; and afterwards, upon an accusation of a criminal correspondence with Alwyn, bishop of Winchester, she was obliged to clear her reputation, by walking over red-hot plough-shares, called the Ordeal Trial.[1] The archbishop was also the person that was chiefly instrumental in having the crown settled upon William, Duke of Normandy. As William of Malmesbury gives but an indifferent character of king Edward's natural parts, so he takes the same liberty both with him and queen Editha, in other respects; for though he owns they lived together without knowing one another, yet he will not determine whether this instance of continency was an effect of religion, or of the aversion the king had to his wife's family;[2] whereas other historians, especially Ailred, who was in the secret of Edward's life, positively affirm, it was an effect of religious zeal in them both.[3] Besides, such a behaviour of the king's, upon a motive of aversion, is not reconcileable with the character Malmesbury otherwise gives of him, nor, indeed, with the common duties of a married state. As to the pious

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ideoque ab eo directus. Eo regnante, nullus tumultus domesticus, qui non citò comprimeretur, nullum bellum forinsecùs, omnia domi forisque quieta, omnia tranquilla.—Erat interea ejus apud domesticos reverentia vehemens, apud exteros metus ingens. Fovebat profectò ejus simplicitatem Deus, ut posset timeri, quo nesciret irasci.—Malmesb. 79.

[1] [This story, though told by Brompton (942), was unknown to the older historians.—*T.*]

[2] Nuptam sibi rex hac arte tractabat, ut nec toro amoveret, nec virili more cognosceret. Quod an familiæ illius odio, quod prudenter pro tempore dissimulabat, an amore castitatis fecerit, pro certo compertum non habeo. Malmes. 80

[3] Convenientibus in unum rex et regina de castitate servandâ pasciscuntur, nec huic fidei alium quam deum testem æstimant adhibendum. Fit illa conjux mente, non carne; ille nomine maritus, non opere. Perseverat inter eos sine actu conjugalis affectus.—Ailredus in Vitâ S. Eduardi, apud Dec. Script. p. 378.

foundations of this king's reign, and the miracles that were wrought by him, we have a sufficient account of them from Ailred, the writer of his life, and other Saxon historians, who all agree with him. King Edward having formerly made a vow to make a pilgrimage to Rome, he was dispensed with by pope Leo IX, who ordered him, by way of commutation, to give large alms, which he punctually complied with; and, that he might not fall short in the obligation, rebuilt the old church at Westminster, where he founded a noble monastery, which he richly endowed, and, at his request, pope Nicholas II made it exempt from episcopal jurisdiction. In his reign was founded the famous monastery of Coventry, about 1043, by Leofrick, count of Mercia, and his lady, Godiva, who restored and enriched many other religious establishments. In 1058, the church and monastery of Gloucester were built and dedicated by Aldred, bishop of Worcester: and again, Waltham Abbey, about 1062, was founded by count Harold. In king Edward's reign, the sees of St. German's and Crediton were removed to Exeter, of which place one Leofrick became the first bishop.[1] It would be an endless work to enter upon a detail of the miracles that are ascribed to this holy king. I shall only mention that remarkable one of curing the king's-evil. "From him," says Collier, "it has descended, as an hereditary miracle, upon all his successors. To dispute the matter of fact, is to go to the excesses of scepticism, to deny our senses, and be incredulous even to ridiculousness."[2] Some reckon it a flaw in this king's life, that he altered the succession, and, by will, put by the next in blood, in favour of William, duke of Normandy. But I leave the discussion of this matter to politicians. As to the fact itself, some of our historians tell us, that king Edward, sometime before his death, did send into Hungary, to call over Edward, surnamed the Outlaw, his nephew, who was next heir, as being son to Edmund Ironside;

[1] Ailred, 379—388; Ingulph, 57; Hoved. 444; Godwin, de Præsul. in Episc. Exon.

[2] Eccl. Hist. i. 226.

but, by some way or other, nothing was effected. Edgar Atheling, son of the outlawed Edward, met with the same disappointment; for, though he put in his claim, and made some attempt towards recovering it, yet matters were so compromised, that he sat down pretty quiet. King Edward, the Confessor, dying in 1066, Harold, son of earl Godwin, usurped the crown, and held it for some months; upon which, William, duke of Normandy, prepared a powerful fleet and army to invade the kingdom, which he claimed by virtue of king Edward's last will. And, to put a gloss upon his pretensions, he draws up his case, and sends it to Rome to pope Alexander II, who, approving of it, sent the duke a blessed banner by way of confirmation. The success of this enterprise was the conquest of England by duke William, in the year 1066.[1] 1066

Having brought my account of church affairs thus far, before I proceed to relate the occurrences under the Norman race, it will not be improper to observe, that religion and civil government commonly meet with the same fate in every age; and that the former could not subsist, without the basis of the latter to stand upon and support it.[2] By virtue of this correspondence, a decay or increase of zeal for religion was discoverable in every reign, accordingly as Providence thought fit to smile or frown upon human projects, in carrying on politic matters. While the Britons lived under discipline, they gave the world many proofs of their religious zeal; but the violent attachment they had to their freehold introduced strangers, and these, getting a head, banished religion. The Saxons, becoming christians, erected churches and monasteries in every corner of the kingdom; which were demolished and rebuilt, as their crimes or repentance called for a different treatment from the hands of divine Providence. It is a secret I shall not pry into, whether

[1] Ailred, 366; Malmesb. 99, 100.

[2] [Of this theory the religion of Ireland, which has continued to exist *in defiance* of the civil power, offers a sufficient refutation. That the Deity has sometimes punished the crimes of nations by depriving them of his presence, is no proof that religion necessarily depends on the protection of the state.—*T.*]

the revolution under the Normans was a punishment or a blessing; many there are who judge it to have been a punishment, and that a foundation was then laid, destructive both of civil and religious liberties. It was then the church and the state began to struggle for power, and make reprisals on one another, accordingly as they had the game in their hands; but, for the most part, the politician had the advantage of the christian. Princes courted the church, if they were likely to be gainers by an obsequious behaviour; and very often churchmen wanted not motives to betray their trust, and go all the lengths of the crown. But, as Providence drags the unfortunate on to ruin, by slow and almost imperceptible paces; so, notwithstanding the frequent quarrels between the two powers, civil and ecclesiastic, they never came to an open rupture, till they were nearer disposed for it by the enormity and multitude of their sins. But to proceed to the reign of William the Conqueror.

William, duke of Normandy, had conquest, and king Edward's appointment, to allege in favour of his claim to the crown of England.[1] How far such claims will stand good, I leave it to others to discuss the point; I shall only observe, that both nations seemed disposed for that revolution which Providence was going to bring about. The English, through the many miseries they had undergone under several changes, were become indolent and dispirited, and unfit for war; and the late peaceful reign of Edward, the Confessor, had added to their incapacity. On the other hand, the Normans are described by William of Malmesbury, to be a people thoroughly qualified for conquest and superiority. They were a polite and learned nation, well skilled in arms, and politics; a people so inured to war, that they scarce knew how to live in time of peace; so presumptuous of success, that where they wanted strength, they seldom failed of carrying their point by bribery or treachery.

[1] [The fact of Edward's appointment, however, though asserted by Ingulph (68), is extremely doubtful. See Lingard i. 320, note.—*T.*]

They were frugal and good economists, yet sumptuous both in their buildings, dress, and entertainments. The subject was carefully protected against foreign invaders; but paid dear for the benefit of safeguard, by being stript at pleasure. In private life, the Normans were litigious, trusty servants, but quickly affronted when suspected. In all nations, money gives a turn to the scales, but, with them, it brought them quite down in opposition to their opinion or engagement; in a word, nothing was accounted treachery which was crowned with success.[1] Into these hands did England fall, when William the Conqueror had the crown put upon his head; which ceremony was performed by Aldred, archbishop of York, the conqueror refusing to accept of Stigand, archbishop of Canterbury, whose office it was. This prelate was not in favour either with the see of Rome, or the king. He had incurred the pope's displeasure in the late reign, for which the pall was refused him; and the warmth and subtilty he showed, in opposing the king, was a sufficient reason to be neglected, and afterwards to be deprived of his see, which was filled by Lanfranc, abbot of a monastery in Normandy, whom the king sent for, upon Stigand's deprivation.[2] Several others of the ecclesiastics, besides Stigand, were enemies to this revolution; but their power was not equal to their will. Yet we read of one Egelwin, who, at that time, was bishop of Durham: he made some resistance; and being taken, was afterwards imprisoned and deprived. His see was filled by Walter, or Walcher, born in Lorraine, who was entirely in the conqueror's interest;

[1] Gens militiæ assueta, et sine bello penè vivere nescia, et in hostem impigrè occurrere; et ubi vires non successerint, non minus dolo et pecuniâ corrumpere. —Dominis fideles, moxque levi offensâ infideles. Cum fato ponderare perfidiam, cum nummo mutare sententiam.—Malmesb. 102.

[2] [The authorities cited by Dr. Lingard (i. 385, note) shew that Stigand's opposition to William is the fiction of modern historians. The truth is, he was a prelate wholly destitute of the virtues becoming his profession. Originally an intruder in the see of Canterbury, he was afterwards suspended by pope Alexander II, from the exercise of the episcopal functions, and was ultimately deprived for his rapacious and uncanonical proceedings. Walsing. 438, ed. Camden; Ang. Sac. i. 250.—*T.*]

and, upon that account, the temporalities of Durham became hugely increased, especially after Walter had purchased the earldom of Northumberland, which title the incumbent of Durham enjoyed for some time.[1] Had this king behaved himself with that moderation and complaisance which he might have learnt from the Danish conqueror, Canute, our historians might have been able to have given a more agreeable account of him. But, on the contrary, they tell us, that, in many instances, he had no regard to the liberties either of the people in general, or of private property. The English groaned under a slavish subjection to the Normans; and, to know how far the king might proceed in the way of oppression, the real and personal substance of every subject was valued, and recorded in Doomsday-book.[2] In time of war (to which he had been bred up from his youth), he showed very little respect to religion; both churches and churchmen felt the fury of his martial genius. Nay, even in cold blood, and in time of peace, he demolished many parishes and religious houses, to take in a forest, and stock it with wild beasts, for the pleasure of hunting. His greatest friends met with severe treatment, when they refused to come into his measures; whereof the imprisoning of his brother Odo, bishop of Bayeux, is a remarkable instance.[3] From the beginning, there had been a good correspondence between the king and the see of Rome; yet, upon some displeasure, when he was in an angry mood, he published several orders which bore very hard upon some branches of the pope's juris-

[1] Godwin, de Præsul. in vit. Egelwin. Ang. Sac. i. 702, 703.

[2] Fecit describi omnem Angliam, quantum terræ quisque baronum suorum possidebat, quot feudates milites, quot carrucas, quot villarios, quot animalia, imo quantum vivæ pecuniæ quisque haberet in omni regno suo, a maximo usque ad minimum, et quantum redditus quæque possessio reddere poterat; et vexata est terra multis cladibus inde procedentibus. Hoved. 460. [The censure passed in the text, on the compilation of Domesday, is not deserved. If oppression were its object, it must have been the oppression, not of the English, but of the Normans, for to them the property of the natives had, in a great measure, already been transferred. The survey, however, was but the completion of a design, originally formed by the great Alfred: and its real object was, to remove the uncertainty which existed, as to many of the ancient rights of the crown. Ingulph, 79, 80.—*T.*]

[3] Hunting. 371; Flor. 640; Orderic, 646, 647.

diction; which are taken notice of, and particularly recorded, by the historian Eadmer; namely, that no papal constitution should be received, unless it was first inspected and approved of by him:[1] that no national synod, called by the archbishop of Canterbury, should have any binding force, unless he allowed of it; that no baron, or officer belonging to the king's courts, should be excommunicated, or obliged to undergo public penance, without the king's consent.[2] Notwithstanding these orders, which did not regard matters of faith, but points of discipline, wherein the king was apprehensive some censures might be pronounced detrimental to the civil government, and put his subjects under some restraint, he paid a due respect to the holy see, as to all the essential parts of its spiritual supremacy, and carried on the interest of religion with the same spirit as his predecessors had done. He founded a noble abbey at Battle, in Sussex, where he obtained the victory over Harold. In a declaration he made before he died, which is inserted in John Stow's *Chronicles*, it appears that forty monasteries had been founded in Normandy, under his and his father's reign. In that declaration he says, "Nine abbeys of monks and one of nuns, which by my fathers were founded in Normandy, I helping, by the assistance of God, have increased.—Moreover, in the time of my government, seventeen monasteries of monks, and six of holy nuns, are builded, where great service unto God, and much alms to the poor, is daily bestowed for the love of the chiefest king. With such camps Normandy is fenced, &c."[3] He was very extensive in his alms; and even upon foreign churches bestowed large possessions in England.[4] In regard of doctrinal matters, he banished several persons out of his dominions, who began to broach new opinions concerning

[1] [There were two especial reasons for this regulation: 1st, the temporal pretensions of Gregory VII; 2d, the conflicting claims of two rival pontiffs, Gregory, and the antipope, Guibert.—*T.*]

[2] Eadmer, 6.

[3] Stowe, 124.

[4] Transmarinis ecclesiis multas possessiones in Anglià largitus est; ut Angliæ copiâ tenuitas illorum sustentaretur.—Malmesb. 112.

Christ's presence in the blessed sacrament.[1] In his last sickness, which seized him in Normandy, he was very desirous to have made his confession to Anselm, abbot of Bec, and sent to him for that purpose; but Anselm, being at that time very much indisposed, was not in capacity to undertake the journey. Before he died, he discharged all state prisoners, and, among others, his brother Odo, bishop of Bayeux. He left several children, both sons and daughters. I shall only mention Cecily, who was abbess at Caen, in Normandy; and another daughter, called Adela, who, being married to Stephen, earl of Blois, after his decease became a nun.[2]

Besides what William the Conqueror performed himself, he was a great encourager of works of piety in others. His reign was remarkable for keeping up ecclesiastical discipline, and for religious foundations. Maud, daughter of earl Waltheoft, founded St. Andrew's monastery in Northampton, and William, earl of Warren and Surrey, established that of Lewes, in Sussex. In 1087, Roger de Montgomery, founded the abbey of Shrewsbury, dedicated to SS. Peter and Paul; and, about the same time, he revived the abbey of Wenlock, formerly for nuns, and introduced monks. We meet with several other religious establishments, about the same time. Gundulph, bishop of Rochester, founded Malling monastery for nuns, and a hospital, called St. Bartholomew's at Chatham; by his means also monks were placed in his cathedral instead of canons. Henry, earl Ferrers, founded Titbury priory in Staffordshire. And one Alwin Child, a citizen of London, was the chief founder of Bermondsey in Southwark.[3] There happened

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[1] Sincerâ fide tenens, quod vera doctrina præceperat, panem et vinum, quæ altari superponuntur, Redemptoris veram esse carnem et verum esse sanguinem. Utique non ignotum est quanto zelo fuerit insectatus, atque exterminare satagerit è terrâ suâ, aliter sentientem pravitatem.—Guliel. Pictaviensis, apud Duchesne, 193.

[2] Orderic, 656—663; Eadmer, 13; Malmesb. 111. [It is plain, from the last writer, that Anselm *did* undertake the journey, that he was lodged in the neighbourhood of Rouen, but that William, in the hope of recovering, deferred his confession, till Anselm was too ill to attend him. Ibid.—*T.*]

[3] Dugd. Monast. i, 352, 353, 354, 375, 613, 639, 679; Godwin, de Præsul. in vit. Gundulph. 526.

also in this reign some other occurrences and regulations, as to the affairs of the church, which I am not willing to pass over in silence. One Turgot, archdeacon of Durham, afterwards archbishop of St. Andrew's, wrote the history of the church of Durham, and the life of St. Cuthbert, from very authentic records, which afterwards, in king Stephen's days, appeared under the name of Simon, a monk of Durham, who was a plagiary, as the learned Selden observes.[1] In the year 1069, died Alred, or Ealred, archbishop of York, as also of Worcester, this latter see being often held in commendam, because the see of York was very much impoverished by the Danish wars. He was succeeded by Thomas, a Norman, who was a zealous prelate, and had a great controversy with Lanfranc, archbishop of Canterbury, who claimed a jurisdiction over the see of York. The cause was carried to Rome, and the pope referring the matter to the king and the bishops in England, the archbishop of York was obliged to submit. This controversy was sometimes renewed by their successors. Soon after the conquest, in this reign, Remigius de Feschamp, a monk from Normandy, was made bishop of Dorchester, being the last that sat there; for, soon after, that see was removed to Lincoln; at which time, William of Malmesbury reports, that Lincoln was one of the richest and most populous cities in England, remarkable for traffic both by sea and land. The cathedral was served by secular prebends. The said historian places the removal of Dorchester see under William Rufus; but, perhaps, he speaks only as to some endowments.[2] It happened, in the Conqueror's reign, that Peter, bishop of Litchfield, removed his see to Chester; but his successor, Robert de Limsey, carried it to Coventry, from whence, not long after, it came to Litchfield again; yet so, that the succeeding bishops were styled of Coventry and Litchfield. We also meet with one or two bishops in these times, that were still called bishops of Chester. In

[1] Præf. ad. Decem Scriptores, p. 3, et seq.

[2] P. 128. [There is no doubt that Malmesbury is correct. The see was translated in 1092. Chron. Mailros, 162.—*T.*]

the days of Edward the Confessor, Herman, bishop of Sherbourn and Wiltshire, began to remove his see to Salisbury (which at that time was old Salisbury, at some distance from the present Salisbury), but this removal was not completed till the Conqueror's reign. Herman was succeeded by Osmund, who died in 1099. He was a good prelate, and is worthy of our remembrance, upon account of his being the first compiler of the church office, and ordinal *ad usum Sarum*. He also wrote the life of St. Adelm, first bishop of Sherbourn, whom Baronius mistakes for St. Anselm; for Anselm being alive ten years after Osmund's decease, Osmund could not very probably be the writer of his life. Osmund has a place in the calendar, among the saints.[1]

1087 William II, called Rufus, was the Conqueror's second son. When he first came to the crown, he concealed a great many ill qualities, which afterwards discovered themselves, to the detriment both of church and state. However, his hypocrisy was so far serviceable, as to make archbishop Lanfranc have a good opinion of him; which, with the addition of fair promises, and an oath to preserve and defend the liberties of the church, gave that prelate still greater hopes of him. Before Lanfranc died, the king intimated to him, that he did not take himself to lie under any obligation, upon account of the aforesaid oath and promises, which he made, as it were, compelled by circumstances. He quickly gave some specimens of what his reign would likely prove to be; which, indeed, from little disorders, after Lanfranc's decease (who kept him somewhat within bounds), by gradual steps, was remarkable for oppression and impiety. William of Malmesbury describes him to have been rather prodigal than liberal, rather proud than magnificent, rather cruel than severe.[2] He reduced many of the cathedrals to an allowance, so that the monks and canons had only what was sufficient for mere necessaries; the rest of their revenues were

[1] Brompt. 952; Mailros, 160; Malmesb. 206, 288, 290; Godwin in vit. Roger, Ep. Lichf. et Osmund, Ep. Sar. 313, 337

[2] P. 122, 215.

seized for the use of the crown. Eadmer farther tells us, that he was accustomed to expose the dignities of the church to open sale; and, for this purpose, had provided himself with a fit instrument, one Ranulph, a clergyman, surnamed Flambard, whom he had made his treasurer. The method then was, when any bishopric or abbey became vacant, some cringing person was advanced, who came into the court measures, and suffered the church to be pillaged. When two or more candidates offered themselves, he that could produce the longest purse was sure of the preference. And what was still a greater injustice (because it affected religion in general), benefices were purposely kept void, for a long time, that the crown might enjoy all the revenues; whereas, in his father's reign, whenever such vacancies happened, care was taken to reserve the arrears for the benefit of the next incumbent.[1] In the year 1093, the king, being attacked with a dangerous fit of [109] sickness, sent for Anselm, abbot of Bec (who at that time happened to be in England), and made a confession of his sins to him. He promised to become a new man, and, to that purpose, signed a declaration, which he ordered to be published. It imported, that all state prisoners should be set at liberty, their fines discharged, and satisfaction be made for all the injustices that had been committed; that good and wholesome laws should be made, and duly put in execution, to the full content of all his subjects. And whereas he had kept the see of Canterbury five years in his hands, and made use of the revenues all that time, he now made a tender of it to Anselm. But Anselm, as well out of humility as upon other motives, declined the offer, while the generality of the bishops pressed him hard to accept of it. In the meantime, the king recovers, and quickly forgot all the good resolutions he had made in the time of his sickness, only he continued to urge Anselm to accept of the see of Canterbury. At length, Anselm partly

[1] Eadmer, 14. Hæc eo indigniora videbantur, quòd, tempore patris, post discessum episcopi, vel abbatis, omnes redditus integre custodiebantur, substituendo pastori resignandi.—Malmesb. 123.

consented; but it was upon the following conditions: that the king would restore the lands he had taken from that see, in Lanfranc's time; that he would submit himself to the bishops, in those matters wherein he had manifestly encroached upon their authority; and that he would acknowledge the present pope, Urban II, to be duly elected. The answer, which the king returned to these points, was, that he would immediately restore the lands that belonged to Canterbury; and, for the rest, he would submit himself to Anselm's judgment in what was right. Upon this, Anselm accepted of the see of Canterbury, and, in the following December, was consecrated.[1]

1094 Not long after, the king having occasion to go into Normandy, Anselm made him a visit before he went over; and, at the same time, took an occasion to lay before him the present state the kingdom was in, upon account of immorality and want of discipline; particularly, that both church and state suffered very much by the long vacancies in ecclesiastical dignities, and, therefore, he desired that a national synod might be assembled, to redress all those evils. The anger of the king was roused by the importunity of the primate, and Anselm, after a fruitless expostulation, retired in disgrace. To regain his influence, however, he requested the bishops to reconcile him with his sovereign. In reply, they intimated to him a piece of advice, which, they judged, would be very suitable to the king's temper; it was, to offer him a handsome sum of money, and buy his peace: but the method pleased not the archbishop, who said he was not a merchant, but a father. When the answer was reported to the king, he exclaimed, "I hated him yesterday: I will hate him more to-day. For archbishop I will never receive him. Let him go where he will. Let him not wait to give me his blessing, when I sail: for his blessings and his prayers I alike reject."[2]

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[1] Eadmer, 15—20. [William's answer was evidently evasive: "Verumtamen, de his et aliis, credam tibi, *sicut debebo*." Ib. 20.—*T.*]

[2] Id. 23—25.

Another time, Anselm petitioned the king, that he might have leave to go to Rome, and receive the pall from pope Urban II. This was a huge provocation; the king told him, that he did not own Urban II. to be the true pope, and that it was no less than an attempt against his crown to make such a petition. Upon this, Anselm adviseth with the rest of his brethren, the bishops; but, as the generality of them were courtiers, they said, it was fit the king should be obeyed in things of that nature. This behaviour of theirs was thought by Anselm to be too condescending, and, therefore, he took an occasion to put them in mind of what was due to God, and what to kings; that the government of the church belonged to the apostles' successors, especially St. Peter's, that commission not being directed to emperors, kings, dukes, or earls, who, notwithstanding, had a right to command, and ought to be obeyed, in all temporal concerns. The contest between the king and Anselm continuing, there were some motions made about deposing Anselm, unless he would renounce all subjection to pope Urban II.[1] This the king insisted upon, and consulted the bishop of Durham upon the matter. But the rest of the bishops judged this to be too bold an attempt, so they were silent. On the other hand, the people in general encouraged Anselm to bear up with patience and resolution; for they had an opinion both of his merits and cause. When the bishops were afterwards summoned to speak their thoughts, concerning Anselm's being deposed, they told the king, that affair belonged entirely to the pope; yet so far they would venture to comply with the king's pleasure, as to renounce personal obedience to Anselm, till a farther discussion of his case. In the meantime, most of the nobility were inclined to favour Anselm, and, therefore, they petitioned for a respite. Accordingly,

[1] [The question here was, not as to the supremacy of the papal see, which all parties acknowledged, but as to which of two competitors, Urban, or the antipope, Clement, had been lawfully invested with it. This is distinctly stated by Eadmer. "Erant namque Romæ, in illis diebus, duo pontifices, qui a diversis apostolici nuncupabantur: sed quis eorum canonicè, quis secùs fuerit institutus, ab Anglis, usque ad id temporis, ignorabatur. Scire itaque veritatem hujus rei, Romam missi sunt," &c. p. 32.—*T.*]

the king consented, that nothing should be determined against Anselm, till after the octave of Whitsunday; during which time, he was permitted to retire to his see. This, however, did not hinder the king from showing his resentment against those that had appeared most zealous in Anselm's defence: Baldwin, a monk, his chief counsellor, and several of the clergy, were sent into banishment, and many others fell under persecution.[1]

1095 While these matters were carried on, Walter, a cardinal, and the pope's legate, arrives in England; who, in a little time, so worked upon the king, as to bring him to acknowledge pope Urban II. This was the prelude to a reconciliation. In the conclusion, the king was persuaded to come to an agreement, and Anselm was reconciled to him upon honourable terms. Walter, the legate, had brought over with him the pall. Now, there was some difficulty as to the manner of its being delivered; and, not to give the king a new occasion of quarrelling, several of the bishops and nobility advised Anselm to let the pall pass through the king's hands, at least by way of compliment. This Anselm would not agree to; because it was a dignity not conferred by kings, but only by St. Peter's successors. The manner of delivering it at last was, the legate laid the pall upon the altar, from whence the archbishop took it up.[2]

In the year 1096, Robert, Duke of Normandy, the king's brother, having occasion for money, to bear the expenses of his expedition in the holy war, applied himself to king William for a certain sum, at the same time offering to mortgage Normandy, by way of security. The king embraced the proposal, and, in order to raise the money, ordered an insupportable tax to be laid upon all his subjects: but the ecclesiastics, in particular, experienced the weight of the imposition, who, not being able to answer what was required of them, were obliged to dispose of the church plate, to make up deficiencies.[3] Among the most cheerful contributors, on

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[1] Eadmer, 25—31. [2] Id. 32, 33.
[3] Orderic, 764, 765; Malmesb. 124; Eadmer, 35.

this occasion, was Anselm. To meet the royal demand, he mortgaged the rents of one of his manors, for seven years, and was thus enabled to present the king with two hundred pounds of silver.

But, notwithstanding this evidence of his loyalty, we have an account of another contest between him and his sovereign. Anselm had often petitioned for leave to go to Rome, but the king would never allow of it; and, in the year 1097, he renewed this petition, in order to confer with the pope about some matters of discipline, which could not be brought about without a personal conference. When the motion was made, the king refused it; which made Anselm resolve within himself to take that journey without leave: but that he might not expose himself too much to censure, he communicated the reasons of his journey to the bishops, who approved of them; but, at the same time, acknowledged, they could not come up to that pitch of virtue and zeal he was master of, or risk the anger of a prince, upon such an account. At length, he was informed that he might depart, but that, if he went, his revenues would immediately be seized by the crown. Anselm bowed to the condition. Entering the royal apartment, he bestowed his blessing on the king, and instantly set forth on his intended journey.[1] I have been a little tedious in relating these matters concerning St. Anselm; but I could do no less, considering the merits of the person, who, for learning

[1] Eadmer, 33—41. [Anselm, in his letter to pope Urban, thus states his reasons for retiring to Rome:—"Videbam enim multa mala, in terrâ illâ, quæ nec tolerare debebam, nec episcopali libertate corrigere poteram....Terras ipsius ecclesiæ (Cantuariensis), quas, post mortem archiepiscopi Lanfranci, cum in manu suâ archiepiscopatum teneret, militibus suis dederat, mihi, sicut eas idem archiepiscopus tenuerat, rex non reddebat; sed insuper alias, secundùm libitum suum, me nolente dabat. Servitia gravia, et antecessoribus meis inusitata, ultrà quàm ferre possem, aut pati deberem, à me exigebat. Legem autem Dei, et canonicas et apostolicas authoritates voluntariis consuetudinibus obrui videbam. De his omnibus cum loquebar, nihil efficiebam. Sciens igitur quòd, si hæc ita usque in finem tolerarem, in damnationem animæ meæ, successoribus meis tam pravam consuetudinem confirmarem (nec de his placitare poteram, nullus enim aut consilium aut auxilium mihi ad hæc audebat dare) petii à rege licentiam adeundi vestram sanctitatem.....Hæc igitur est summa supplicationis meæ, propter quam ad vos ire volebam, ut.....animam meam de vinculo tantæ servitutis absolvatis, eique libertatem serviendi Deo in tranquillitate reddatis;.....deinde ut ecclesiæ Anglorum, secundùm prudentiam et authoritatem apostolatûs vestri, consulatis. Eadmer, 43.—*T.*]

and piety, had not his equal in that age; which character, being placed against that of the prince, by whom Anselm was opposed and persecuted, may be a means of forming a true judgment of those controversies, which frequently happen between the civil and ecclesiastical power. William Rufus died August 5th, in the year 1100. Our historians commonly report, that he was accidentally killed in the New Forest, by Walter Tyrill, a French knight; but Suger, a French historian, gives a different account. We have the character of this king, in a few words, from William Malmesbury, who tells us, that as he lived a tyrant, so he died without repentance; and that his whole reign had been a scourge both to church and state, who lay under a continual oppression, to feed his avarice, and support his pride.[1]

We are not to look for many works of piety in a reign of contention, and where the king was so far from leaving any marks of his zeal for religion, that he was but one remove from being an atheist. What religious foundations were laid in the present reign, by others, were, the abbey of Eynsham, near Oxford, by Richard Bloet, or Bluet, second bishop of Lincoln;[2] the abbey of St. Werberg, in Chester, by Hugh Lupus, earl of Chester, who rebuilt it, and placed monks in it, by the advice of St. Anselm (it had formerly been a nunnery, with a church, built by the famous earl Leofric); and two hospitals, one called St. John's, the other at Hatbaldown, founded by archbishop Lanfranc, who also ejected the clergy from Rochester, and placed monks in their room.[3] It would be an unpardonable omission not to take notice of Margaret, Queen of Scotland, contemporary with this reign. She was wife to King Malcolm, a lady of exalted merit and virtue. She was constantly attended by twenty-four poor, to whom she allowed clothes and

[1] Malmesb. 126; Suger, vit. Lud. Cras. 283.

[2] [This foundation is evidently ascribed to Bluet, on the authority of Godwin (in vit. Bluet, p. 284). From the charters in Dugdale, however, it is certain, that Eynsham was built and endowed by Æthelmar, in 1005, that it subsequently fell into decay, and that it was at length restored by the piety of Henry I., in 1109. Monast. Ang. i. 258—265.—*T.*]

[3] Dugd. Monast. i. 199; Godwin, in vit. Lanfranc, 61.

victuals. She arose every night, and spent a considerable time in prayer. The morning was employed in serving the poor, which commonly were three hundred; in which pious work the king frequently assisted her. Wulstan, the famous bishop of Worcester, lived in this and the former reign. He died in the year 1095, in the 90th year of his age. About this reign, the see of Thetford was removed to Norwich.[1]

1100 Henry I. succeeded his brother, William Rufus. He was the Conqueror's third son, and distinguished by the name of Beauclerc, upon account of his learning. He may be reckoned one of our good kings, by whose management affairs both in church and state met with as much success as human prudence and christian zeal could contribute. He discharged the nation from many heavy taxes imposed by his predecessor, and imprisoned Flambard, who was the chief contriver of them. He banished libertines and scandalous persons from his court, he recalled Anselm from exile, and took care that his other advisers should be men of character as to private life, and no less useful to the kingdom by their public qualifications.[2] In his reign, great disputes were a-foot concerning the limits of the civil and ecclesiastical power, and were carried on to a great height, between the emperor and the see of Rome. The chief point was about investitures, which was not so much about the right of presenting to episcopal sees, and some

[1] Malmesb. 122; Godwin, de Præsul. 455. [The translation of Thetford, like that of Selsey, Dorchester, and other sees, was in pursuance of a decree, passed in a council held in London, in 1076, whereby it was ordered "quòd sedes episcoporum de viculis ad urbes celebres transirent." Brompt. 975.—*T.*]

[2] [From this unqualified praise, however, many deductions must be made. If Henry, by his charter, remitted the taxes, levied in the preceding reigns, it was only to impoverish the nation by other, and not less oppressive, exactions: if he engaged to restore the ancient immunities of the church, to relinquish the sale of benefices, and to appropriate nothing to himself from their revenues, it was only to profit by the reputation of a reformer, without any intention of abandoning the customs, which he professed to condemn. The histories of the time abound with evidences of these facts. Eadmer (83), Huntingdon (470), Brompton (1001), and the writer of the Saxon Chronicle (211 et seq.) are loud in their complaints of his rapacity: while the sale of Litchfield (Simeon 256), the plunder of Winchester (Ang. Sac. i. 297), and the refusal of prelates to Canterbury, Durham, and other sees, for several years (Ang. Sac. i. 7; Simeon 62), afford the most convincing proofs of the iniquity of his proceedings in those matters.—*T.*]

other ecclesiastical dignities (which not only princes, but other founders might lay claim to, accordingly as custom or laws gave them authority), as about the ceremony made use of, upon such occasions, which seemed to import some kind of spiritual power in the civil magistrate; as, namely, the ceremony of investing bishops and abbots, by the delivery of the Pastoral Staff and Ring; for this ceremony appeared to intimate something more than a confirmation of jurisdiction as to temporals. I will not say, the princes, in those days, pretended to any more than a right of presentation, and a right of confirmation, as to temporals, or that they contended for any sort of jurisdiction that was merely spiritual. However, they were unwilling to part with the ceremony of the Staff and the Ring; and the pope insisting that it spoke spiritual jurisdiction, this occasioned those hot disputes, in which king Henry I., after the example of other princes, was, for some time, engaged with pope Paschal II.: but, in the conclusion, the king submitted, and surrendered the right of investiture *per annulum et baculum* to the holy see.[1] King Henry I.

[1] Statuit ut, ab eo tempore in reliquum, nunquam per dationem baculi pastoralis, vel annuli, quisquam de episcopatu, aut abbatiâ, per regem vel quamlibet laicam manum, in Angliâ investiretur.—Flor. 652. Eadmer, 91. It is thought that Henry V., his son-in-law, gave up the same cause through his persuasion: for, though, in the year 1111, he took pope Paschal prisoner, in order to force him to grant investitures, yet he relented afterwards, and, in 1122, gave up the ceremony to pope Calixtus, the second in succession from Paschal. Thus, as Malmesbury observes, was ended a controversy of fifty years' debate (Malmesb. 166, 169, 170). It is uncertain what prince first practised the ceremony.

[It should here be remarked, that this controversy, though apparently relating to a matter of mere form, involved, in fact, a subject of real importance to religion. By possessing the right of investiture, the late king had been able, in some instances, to keep the benefices of the church in his own hands; in others, to dispose of her dignities, like merchandize, to the highest bidder: and it was for the purpose of suppressing these abuses, no less than of asserting their own immunities, that the more virtuous of the clergy now united with the pontiffs in resisting the supposed prerogative of the crown. Unfortunately, the result was not answerable to the zeal of the parties engaged in the opposition. In securing the shadow, the substance was forgotten. Henry, indeed, surrendered the ring and crosier, the emblems of spiritual jurisdiction, but he was still allowed to nominate to the vacant bishoprics, and was thus enabled, as heretofore, to retain, or dispose of, their revenues for his own profit.

Another controversy between Henry and the court of Rome regarded the admission of papal legates. The pope, as chief pastor, claimed the right of visiting, by his delegates, the several churches of Christendom: Henry admitted the right, but maintained, as the prescriptive privilege of England, that it could be exercised only through the native prelates of the kingdom, and more especially

married his daughter, Matilda, to the emperor, Henry V., and died in the year 1135. Hugh, archbishop of Rouen, in a letter he wrote to pope Innocent II., gives this account of his behaviour in his last sickness: that he made a confession of his sins to him, received absolution, promising an amendment of his life if he recovered; that he kissed the cross of Christ, and received the body and blood of Christ; and afterwards, having given orders for what alms he designed to bestow, he earnestly desired to be anointed.[1]

No reign, since the Saxon heptarchy, was more remarkable for religious foundations, than this of king Henry I., whereof many were erected in Normandy, which I shall not take notice of. Those, founded by him in England, were, chiefly, a noble abbey at Reading, in Berkshire; the priory at Dunstable, for regular canons, where he also laid the foundation of the town; Merton priory, in Surrey; the church, together with the town of Old Windsor; Trinity priory, within Aldgate, which he established in conjunction with Matilda, his wife, Cirencester abbey, as also St. John's hospital near the same place, and the hospital of St. Peter at York.[2]

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through the archbishops of Canterbury. It would have been difficult to establish the existence of the prescription, alleged by the royal disputant. The king, however, was supported in his opposition by the English bishops; and legate after legate was compelled to return to Rome, without effecting the object of his mission. At length, in 1125, John of Crema was employed by Honorius II. to renew the experiment, and, after a protracted negotiation, was permitted by Henry to make the visitation of the English church. The pontiff now seemed to think that sufficient had been done to vindicate the prerogative of his chair. Without mentioning the disputed claim, he hastened to confer the legatine authority in England on the archbishop of Canterbury: a similar grant was made by Innocent, the successor of Honorius, to Henry, bishop of Winchester; and the claim, hitherto so warmly contested, was quietly allowed to fall into abeyance.—Eadmer, 58, 118, 137; Simeon, 251; Baronius ad an. 1125; Flor. Contin. 662; Ang. Sac. i. 792.—*T.*]

[1] Crucem Domini adoravit, corpus et sanguinem Domini suscepit devotè ... . et ipsius piâ petitione oleo sancto eum inunximus.—Hugo, Epist. ad Innoc. II. apud Malmesb. 178.

[2] Malmesb. 253; Dugd. Monast. ii. 89, 132, 135, 392; Alford, iv. 264. [From the words "Statuimus autem, *tam ecclesiasticæ quam regiæ prospectu potestatis*," &c., which occur in the foundation charter of Reading, Sir Edward Coke (Reports, part v. p. 10) argues that Henry both claimed and exercised the right of spiritual jurisdiction. He forgets, however, that the charter is signed, not only by Henry, but also by *John of Crema, the pope's legate*, besides two archbishops, nine bishops, and five abbots, and that, while, in this passage, it uses the plural number (*statuimus*), in those, wherein the king speaks in his individual capacity, it invariably employs the singular. See the charter in Dugdale, Monast. i. 417, 418.—*T.*]

These, with some others, which occur not at present, were lasting, though not everlasting, monuments of king Henry's zeal. Now, as for those works of piety, which were erected by others, but encouraged by him, I shall exceed my designed brevity, to give a full account of them. Among these, we meet with Dunmow monastery, in Essex, founded by the lady Juga Baynard; the priory of Oseney, near Oxford, by Robert D'Oyly; Colchester abbey of black canons, by Eudo, the king's steward, and dedicated in honour of St. John; St. James's priory, in Bristol, by Robert, earl of Gloucester; the priory of Kenilworth, for regular canons, by Geoffrey Clinton, the king's chamberlain; Plympton monastery, in Devonshire, by William Warlewast, bishop of Exeter; St. John's of Jerusalem, near Smithfield, as also Clerkenwell monastery, for nuns, by Jordan de Brisset; Tewkesbury monastery, refounded by Robert Fitzhamon, a nobleman; St. Bartholomew's hospital, or priory, by Rahere, the king's minstrel; the priory of regular canons, in Leicester, with a monastery of the same order, near Leicester, by two of the Mellents, earls of Leicester (the latter monastery called St. Mary's de Prato); St. John's of Lanthony, for canons, by Hugh Lacy, translated to Hyde, near Gloucester, by Milo, earl of Hereford; the noble monastery of St. Osyth's, in Essex, for regular canons, by Richard Beauvais, bishop of London, who died in 1127; Waverley monastery, for Cistercian monks, St. Mary Overy's, in Southwark, and also a monastery of nuns at Taunton, by William Giffard, bishop of Winchester, who died in 1128; and a house of regular canons, in Cambridge, by Nigel, bishop of Ely: this house afterwards became a college, called St. John's, refounded by Margaret, countess of Richmond, mother to king Henry VII. William Herbert, the last bishop of Thetford, and first of Norwich, built five churches, besides the cathedral, and several hospitals; viz. two in Norwich, that is, St Leonard's and another; one at Elmham, one at Lynn, and another at Yarmouth. He died in 1119.[1]

[1] Dugd. Monast. i. et ii. in locis; Godwin, in vit. Nigel, Episc. Elien.; et Herbert, Episc. Norw. pp. 250, 427, 428.

Before I pass to the next reign, it will not be improper to take notice of some occurrences, which happened in these times, and may bring some light to our church history. The see of St. David's having formerly enjoyed a metropolitic power, Bernard, the present incumbent, had a mind to make an experiment about recovering the ancient independence of his see; and, in order to this, he puts up his claim against the archbishop of Canterbury. The case was determined at Rome, and the bishop of St. David's obliged to desist.[1] Again, Urbanus, bishop of Landaff, endeavoured to recover several lordships, which formerly belonged to his see, but since had been annexed to Hereford, &c. He appealed to Rome, and, having engaged pope Honorius in his favour, succeeded in regaining the ancient patrimony of his church.[2] A controversy was also renewed between the two archiepiscopal sees of Canterbury and York. It had been a custom, ever since the conquest, for the archbishop of York to make a promise of subjection to the see of Canterbury, upon his consecration. It was frequently contested; but, when the point was brought to a hearing, York was obliged to submit; only, about this time, one Thurstan, being consecrated by the pope, did not observe that formality. Thurstan was a prelate of eminent learning and virtue, who, having held the see of York for some time, retired, and died a monk in Pomfret monastery.[3]

In the year 1133, Adelwald, or Athelwulph, was consecrated the first bishop of Carlisle, which was an ancient city, and, in the Romans' days, called Luguballia. This

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[1] Hoveden, 797—799, ed. Savile. [Bernard had himself, at his consecration, sworn obedience to the see of Canterbury: but, on the death of the archbishop, he appealed to Rome, and, denying his former promise of submission, claimed to be exempt from the jurisdiction of the primate. The promise, however, was proved; and the claim, as regarded the individual rights of the appellant, was, consequently, disallowed. Still, the general question was left undecided; nor was it, until the well-known Giraldus Cambrensis revived the controversy, in 1199, that the point was finally determined, in favour of Canterbury.—See Eadmer, 116; Girald. apud Ang. Sac. ii. 546, 549, 617; Hoved. 798, 799.—*T.*]

[2] [Flor. Contin. 663. In the former edition, Dodd, by mistake, says the reverse of this.—*T.*]

[3] Eadmer, 117, 118, 120, 125, 126, 136. Flor. Contin. 674.

city, with the adjacent country, belonged to the see of Lindisfarne, in St. Cuthbert's time, on whom they were settled by king Egfrid, about 679. About 900, Carlisle was utterly destroyed by the Danes, and not rebuilt till William Rufus's reign, soon after 1090. He placed in it a colony of Flemings, who, by an inundation, were obliged to forsake their own country. Some English were mixed with them, and over the whole he appointed one Walter, a Norman priest, in quality of a governor. This Walter founded a church there, which he dedicated to the honour of the blessed virgin Mary; and, had not death prevented him, his design was to have increased the foundation by the erection of a college. Afterwards, in Henry I.'s reign, Walter's design was carried on, though not in the manner he intended; for, instead of a college, it became a monastery of regular canons, Adelwald, then prior of St. Oswald's in Nostlis, and confessor to Henry I., being made the first prior, and, sometime after, the first bishop; which was done by the approbation, and with the concurrence, of Thurstan, archbishop of York, to whose jurisdiction it formerly belonged.[1]

It is observed by our historians, that Ely became an episcopal see, about 1109, and that one Hervey, translated from Bangor, was the first bishop. It does not appear of what antiquity the see of Bangor was. Hervey is the first bishop taken notice of in history; and yet it is likely there were others before him. Some imagine, that the catalogue of their bishops is entirely lost. If we may be permitted to guess, Bangor seems to have been an episcopal see of an ancient standing. The church was dedicated to St. Daniel, who lived in 519, and he might be bishop.[2]

1135 King Stephen, who next got possession of the crown, was nephew to Henry I, being his sister's son. Both he, and all the bishops and nobility, had

[1] Godwin, in Episc. Carl. 761.

[2] Selden, in Spicileg. ad Eadm. 209—212. [Richards, in his notes on Godwin, has shown that St. Daniel was bishop of Bangor; and he has farther given the names of two of Daniel's successors, Ellodu, who died in 811, and Mordaf, or Marclois, whose death is placed by Wynne in 942. De Præsul. Ang. p. 617. —*T.*]

sworn allegiance to the empress Maud, upon whom the crown was settled by Henry, her father; yet, afterwards, they all agreed to desert her, and made choice of Stephen, to whom they promised the same allegiance; yet, conditionally, that he should oblige himself, by oath, to preserve the liberties of the church as they then stood; and particularly, that he should not seize and embezzle the profits of ecclesiastical benefices, during vacancies (as had been too frequently practised by his predecessors), but that they should be reserved for the benefit of the church, especially the next incumbent. This oath was taken by king Stephen, in the presence of the bishops and the pope's legate, and approved of by pope Innocent II., whose diploma is still extant, specifying the contents.[1] But this oath, it seems, was only to serve a turn, and to get into possession of the crown; for, afterwards, it was violated, in every particular almost, during his whole reign.[2] He seized at pleasure upon the treasures of the church, bestowed the revenues upon laymen, sold them to strangers, imprisoned the bishops, and forced them to surrender their lands; and, by these methods, threw the whole nation into the utmost confusion. But it was not long before the empress Maud put up her claim, and, entering England, quickly gathered an army to support it. The kingdom became divided upon this occasion, and great numbers both of the bishops, clergy, and religious, as also of the nobility, took part with the empress Maud; and, by way of justification, some alleged the obligation of their former oath to the empress; others alleged, that their oath to Stephen was only conditional, and that the obligation ceased, the king not having complied with his part. And yet, such was the complexion of those times, that many of them often changed sides, accordingly as success attended either

[1] Malmes. 179. Juraverunt fidelitatem regi, quamdiu ille libertatem ecclesiæ et vigorem disciplinæ conservaret. (ib.) [Innocent's letter has been preserved by Richard of Hexham. (Dec. script. 314.) It was written before Henry took the oath here alluded to, and refers to a former protestation, made at the time of his coronation.—*T.*]

[2] Pene omnia ita perperàm mutavit, quasi ad hoc tantum jurasset, ut prævaricatorem sacramenti se regno toti ostenderet.—Malmesb. 179.

1139 party. In the midst of these distractions, the king gave the bishops a fresh occasion of being exasperated against him. He very much suspected, that some of them were working underhand in favour of the empress; wherefore, by way of prevention, he seized upon several of their houses; especially of the bishops of Salisbury, Lincoln, and Ely, whose lands and castles he not only took from them, but also threw them into prison. The king put the best gloss he could upon the fact, pretending, that what he had done was not out of any disrespect to the order, or design upon the rights of the church, but only to secure his crown, and punish the three bishops as notorious delinquents. However, the generality of the bishops were alarmed at such proceedings, which, when under the most favourable representation, they said, were illegal, uncanonical, and tyrannical; and, therefore, they were resolved to oppose the king, being headed by Henry, bishop of Winchester, who was the king's brother, and pope's legate.[1] Wherefore, a synod was called, to examine the king's right in the aforesaid seizure of the bishops' houses and lands; the bishop of Winchester beforehand declaring, that, in case the three bishops were found to be delinquents, it belonged to an ecclesiastical synod to pronounce upon the matter. The synod being assembled, the king was desired to assert and make good his claim to the castles and lands of the three bishops. Accordingly, several of the courtiers appeared, some whereof were managers for the king, who alleged against Roger, bishop of Salisbury, Alexander, bishop of Lincoln, and Nigel, bishop of Ely, that they had been delinquents on several accounts; but, more particularly, the bishop of Salisbury was impeached for having favoured and corresponded with the king's enemies, and, as public fame gave out, had a design of delivering up several strong castles to the empress and her son: that he was not imprisoned

[1] [He was invested with the legatine authority, by a bull from pope Innocent II., dated March 1st, 1139; William, archbishop of Canterbury, the late legate, having died in the preceding December (Malmesb. 182.) Wharton erroneously dates the bull in 1131. Ang. Sac. i. 792.—*T.*]

as a bishop, but as being the king's subject and servant, and one of the ministry ; that the bishop had hoarded up vast sums of money in his castles, which he had collected, when he was prime-minister, in the late reign, and which ought now to be brought into the treasury; that, in fine, the bishops' castles were not wrested out of their hands by force, but were spontaneously surrendered by their owners, as a compromise for a riot, which the prelates had excited at Oxford. What the bishop of Salisbury replied to these allegations was, a flat denial of the matters of fact; and, as to the king's reasons and apprehensions, he hoped the synod would consider them, and do him justice, otherwise he knew how to appeal to a higher tribunal. Then the bishop of Winchester, the pope's legate, delivered himself to the following effect: that controversies of this kind properly belonged to an ecclesiastical synod; that the facts alleged against the bishops ought to be proved by witnesses; and that, till matters were legally and canonically decided, the bishops ought to remain in possession of their castles and lands; a method always observed, in all nations, where justice was regarded. Two days after, the archbishop of Rouen made his appearance in the synod, who, after a zealous harangue in favour of the king, declared it to be his opinion, that bishops ought not to be in possession of castles, or places of strength, as being a practice contrary to the canons of the church. He added, that though those castles were the property of the bishops, yet, considering the state of affairs, and the present contest about succession to the crown, the keys of such places ought to be delivered up into the king's hands. This declaration of the archbishop of Rouen was seconded and supported by Alberic de Vere, one of the king's managers, who, after several tart expressions against the bishops, gave out several threatening words, if they offered to appeal to Rome; and, at the same time, gave them to understand, that the king now formally appealed to that tribunal himself. The synod was inclinable to have proceeded to ecclesiastical censures, in favour of the bishops; but what deterred

them was, they had no precedent to let censures loose against a crowned head, without the pope's licence: besides, it was observed, during the sitting of the synod, that some of the king's party began to lay their hands upon their swords. These were dangerous symptoms, which required caution and forbearance. In the conclusion, the synod broke up and nothing was done. Afterwards, the pope's legate and the archbishop made the king a visit in his apartment, where they both fell down upon their knees before him, beseeching him to have a regard to the church, to his fame, and to the good of his soul, and not to suffer things to run to such extremes, as to have a breach made between the regal and sacerdotal power. The king, with a great deal of respect, desired them to rise. He used some words, to take off the invidious part of the controversy; but the civil war, he was continually engaged in against the empress, would not permit him to be very obliging to the bishops, especially to those that opposed him, whose revenues he made bold with, as often as he had occasion.[1]

The contest for the crown, between king Stephen and the empress, lasted fourteen years, which afforded great variety, both as to politics and war. The empress sometimes seemed to have entirely gained the cause; but the revolt of some person of note, or some unexpected stratagem, backened her affairs again, which anon she recovered: and it is generally believed, that her haughty behaviour, at those times she was successful, so disgusted the English, that they neglected her interest, by way of resentment. For what would she not do, when placed upon the throne, who durst show herself imperious, while she was struggling for it? On the other hand, king Stephen's behaviour was far from giving content; and, as long as a competitor was living, he could promise himself neither security nor ease. Besides, his affairs went ill abroad; he was threatened both from Scotland and France, whose interest it was, to favour the empress upon the present juncture. Wherefore,

[1] Malmesb. 181—183.

Henry, bishop of Winchester, with some others, then the greatest men in power, and who had managed a reserve with both parties (and, indeed, sometimes changed sides), being willing to see an end of the calamities of their country, effected a reconciliation, in the year 1153; the substance whereof was, that king Stephen was to enjoy the crown for life, and afterwards, Henry, son to the empress. The remainder of king Stephen's reign, the church was at ease, and, in a great measure, freed from that oppression it had so long groaned under. King Stephen died in 1154, having reigned in all nineteen years.[1] 1154

It is scarcely credible, that a nation, distracted by continual wars, should give so much attention to the cause of religion, as we find was done, during this reign. Both the king and his subjects left behind them many monuments of their zeal that way. The king himself founded Cogshall abbey, in Essex; Furness abbey, in Lancashire; and Feversham abbey, in Kent: again, a monastery of nuns at Carew, and one of nuns at Higham, near Gravesend, with a church, which he attached to St. Leonard's hospital, near the west-gate in the city of York. By his queen was founded the noble hospital of St. Catharine's, near the tower of London. Then, as to the religious foundations erected by his subjects; there was the monastery for nuns, at Hegham, or Heningham, in Essex, founded by Alberic de Vere; the priory of St. John's, in Litchfield, and the monastery of Bildewas, for Cistercians, by Roger, bishop of Litchfield and Coventry; the Cistercian abbey of Thame, in Buckinghamshire, by Sir Robert Gait; the double monastery of Haverholme, and the priory of Gilbertins, called St. Catharine's, near Lincoln, by Alexander and Robert, successively bishops of that see; St. Cross, a noble foundation or hospital, near Winchester, by Henry, bishop of Winchester (it formerly had been a monastery destroyed by the Danes); Boxley abbey, in Kent, by William of Ypres; St. Augustin's monastery,

[1] Ibid. 183—190. Flor. Contin. 677. Gervase, 1363, 1371. Hunt. 398.

in Bristol, by Robert Fitzharding; the priory of Wymundham, by William de Albini, the king's butler; the abbey of Merival, by Robert earl Ferrers; and the abbey of Finchal, by Hugh Pudsey, otherwise called Pusar, or de Puteaco, who was bishop of Durham, and nephew to king Stephen. This bishop also built Darlington church, and founded two hospitals, one at Allerton, the other called Sherbourn, situated at the east-end of Durham, which last was capable of affording a maintenance for sixty-five poor, besides a competency for several priests. Bishop Pudsey, for a time, bore the title of earl of Northumberland.[1]

I will conclude this reign, having first mentioned the names of a few remarkable persons, who deserve to be remembered. Theobald, archbishop of Canterbury, died about 1160, but flourished in this reign. It is related of him, that he left all his substance to the poor, or to be distributed in works of piety. One Walter was bishop of Rochester, elected by the monks; whereas, before, the bishop was usually nominated by the archbishop of Canterbury.[2] William, nephew to king Stephen, was archbishop of York, a person of approved virtue, who died in the year 1154. His name stands in the calendar, among the saints. It was commonly reported, that he lost his life by poison, thrown into the chalice; Hoveden says, by making use of some poisoned water; but Nubrigensis confutes both these reports.[3] In these days, also, lived Roger, archbishop of York. He is taken notice of for being no great friend to the monks, neither do they write very favourably of him. It seems, he did not very much approve of his predecessor, Thurstan, founding the abbey of Fountain's; not, as I suppose, by quarrelling with the substance of that pious work, but, perhaps, because Thurstan had failed in the

[1] Dugd. Monast. i. et ii. in locis. Tanner, 310. Godwin in vit. Hen. Wint., Roger Covent. et Hug. Dunelm. 216, 313, 735.

[2] [By '*nominated*,' Dodd evidently means *appointed*, an assertion which, though adopted from Godwin, is erroneous. The ancient custom was, for the archbishop to nominate, and for the monks to elect. This custom was observed at the election of Walter. "Secundum *antiquam consuetudinem*, electus est a monachis Rofæ." Gervase, 1362.—*T.*]

[3] Hoved. 490. Newbrig. lib. i. c. 26.

prudent part, as to the manner. However, the monks charged Roger with covetousness, and I know not what; but his charitable actions were sufficient to wipe off that aspersion.[1] I must not forget to mention Nicholas Breakespear, an Englishman, who had been brought up in the abbey of St. Alban's, was made cardinal bishop of Albano, in 1146, and lived in this and the succeeding reign. He had been sent, with legatine authority, into Norway, where he won the confidence and affection of the natives. He was afterwards chosen pope, and took the name of Adrian IV. He had a great controversy with the citizens of Rome, who attempted to become independent, and withdraw themselves from his jurisdiction, as to temporals; as also with the emperor, Frederick Barbarossa, about investitures and other matters. It was ordered by pope Adrian IV, that the abbey of St. Albans should have the preference to all others in England. He died in the year 1159.[2]

Henry II, the son of Maud, the empress, by Geoffrey, earl of Anjou, was, according to agreement, 1154
to possess the crown, upon the decease of king Stephen; which happened without any opposition, and to the general liking of the subjects. He was a prince thoroughly qualified for the dignity, yet so apt to be hurried away by his passions, that they engaged him in several controversies, which gave him great disturbance, during his whole reign.[3] In the beginning, he had a tedious contest about the liberties of the church, in which he was opposed by Thomas Becket, who, having been made chancellor of England, in the year 1157, was by king Henry preferred to the see of Canterbury, in 1162. This prelate was a person of primitive behaviour, as to the integrity of his life, and, withal, a zealous assertor of ecclesiastical liberties, which the whisperers of the court represented to be nothing else, but a cloak

[1] Godwin de Præsul. 71, 527, 671—675.

[2] Gul. Newbr. l. 2, c. 6; Baronius, ad an. 1148, 1154, 1159.

[3] King Henry II. had several disputes with the see of Rome, concerning jurisdiction, but never in matters purely spiritual; and, had it been about things of that kind, such instances are no more proofs against the pope's claim, than instances of rebellion are proofs against the regal power.

for avarice, ambition, and hypocrisy; and these things being intimated to the king, he gave some kind of credit to them, or, at least, they were of service to him, and popular topics, when any dispute arose between him and the archbishop. I will pass over in silence the particulars, it being a difficult matter for an historian not to show something of partiality in the relation, and not a little presumption to chalk out the boundaries of the two powers, civil and ecclesiastical, which (excepting what Christ himself has established in that regard) are various, according to the customs and laws of nations.[1] Whatever, therefore, was, or may be, said as

[1] [The dispute to which Dodd here alludes, but on which he is evidently afraid to express his real opinion, related, in the first instance, to the criminal jurisdiction of the spiritual courts. By a custom, originally borrowed from the imperial code, a clergyman, accused of murder, felony, or any other crime, could, for the first offence, be tried only by the spiritual judge, and, as a consequence of this, could be punished only by the minor inflictions of flagellation, fine, imprisonment, and degradation. In opposition to this, however, Henry insisted that the offender should be first degraded by the ordinary, and then delivered to the secular judge, to be tried and punished by the civil power. The archbishop resisted the innovation: Henry, to revenge himself, increased his demands; and the attack, which had hitherto been levelled at one privilege, was soon directed against many. The king summoned a council to meet him at Clarendon. Under pretence of enforcing "the ancient customs of the realm," he directed a body of "Constitutions" to be drawn up, and presented to the bishops for their signatures. In them, he asserted the incompetence of the spiritual courts, in cases of criminal jurisprudence; he claimed the custody of all vacant benefices of royal foundation; he exempted the principal officers and tenants of the crown from the spiritual censures of the church; he forbade any clergyman to go beyond the sea, without the permission of the sovereign; and he ordered all spiritual causes to be terminated in the archbishop's court, so as to exclude the ancient right of appeal to the decision of the pope. Of these "customs," one, though often claimed, had never been recognized; another had been specially renounced by the king himself; and all were more or less opposed to the oath, which he had taken at his coronation, to preserve the rights and liberties of the English church. Becket at first refused to accept them: then he consented; and then finally repented of his compliance. To escape the vengeance of the king, he retired into France. Here, however, the contest was still maintained; and more than six years of alternate threats and negotiations were consumed, before a reconciliation could be effected. At length, this object was apparently accomplished, and the archbishop returned to his diocese. But, unfortunately, he had listened to the suggestions of imprudence, if not of resentment. He had arrived at Whitsand, on his way to England, when, in a moment of irritation, he despatched a messenger, with letters of suspension, or excommunication, against the three prelates of York, London, and Salisbury, who had ventured, in his absence, to officiate at the coronation of the king's son. The bishops, as might have been expected, were loud in their complaints: they denounced the act as an evidence of his vindictive disposition; and, hastening into Normandy, they presented themselves before Henry, and besought him to

to these matters, in regard of the equitable part, the consequence was fatal to the archbishop, who was murdered by some of the king's adherents; in which his majesty was no farther concerned, than by dropping a passionate word, which they took to be a commission to commit that barbarous fact. And, indeed, the king looked upon himself to be chargeable with it; especially soon after, when he saw so many calamities flowing in upon him, which he considered as a punishment from Heaven, upon account of the long persecution and death of the religious archbishop. The ill success he met with, upon the committing of the murder, and the speedy retrieving of his glory, upon a submission for the crime, were to him a sufficient conviction, that the steps he had taken, in the affair of Thomas Becket, were not at all pleasing to Almighty God. He who, just before, had been victorious over all his enemies, and had extended

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control the tyranny of the primate. The monarch burst into a paroxysm of rage. He bewailed his unhappy situation: he upbraided the indolence, or the cowardice of his dependants; and he passionately inquired if no one could be found, to free him from the turbulence of a single prelate?—In less than three weeks, it was announced, that the archbishop had been murdered (Diceto, 536, 537; Stephan. 29, 33—35, 48, 68, 71, 72; Gul. Newbr. l. 2, c. 16; Gervase, 1384—1393, 1413—1417).

Of the conduct of Becket, in this transaction, it has been customary to speak, in terms either of unmitigated censure, or of unqualified praise. The former is unjust; the latter is unnecessary. It is not essential to sanctity, that nature should be free from imperfection: nor is it a legitimate subject of condemnation in an individual, that he has failed to rise above the received opinions of his age. In the holiness of his life, in the purity of his motives, in the unconquered energy of his character, Becket stands alone among his contemporaries: in his judgments, his notions, and his prejudices, he shares the weakness of his fellows, and sinks to the level of those about him. That the publication of the censures against the three bishops was unwise, that it savoured more of zeal than of prudence, and that it was, in fact, the immediate occasion of his murder, is acknowledged and lamented even by a contemporary and a panegyrist, William of Newburgh (l. 2, c. 25). Perhaps also a similar remark will apply to his conduct, in the earlier stages of the dispute. The exemption of the clergy from the jurisdiction of the secular courts, though undoubtedly recognized by the established usages of the country, was open to the most serious abuses. Those abuses had lately increased: they had grown with the growing turbulence of the time; and it ought to have been remembered, that, to defend the immunities of the clerical order, was of less importance than to repress the crimes of its more licentious members. Had Becket reasoned in this manner, he might have continued to enjoy the friendship of his sovereign; and one pretext, at least, would have been withdrawn from the religious innovators of the sixteenth century.—*T.*]

his power by several new acquisitions, was now in a fair way of being stripped of all. His sons, Henry, Richard, and Geoffrey, joined in confederacy, and raised a rebellion against him, in his foreign dominions, Normandy, Aquitaine, and Little Britain; who were supported by the kings of France and Scotland, and the earl of Flanders. All these princes had armies ready to fall upon him. These storms had threatened the king for some years; but, after the murder of the archbishop, in 1170, they began to unite and hang over his head. Now, in order to avert these evils, procure peace to his own mind, and make some sort of atonement for the scandal he had given to the better sort of christians, in the affair of the archbishop, he left to posterity a surprising example of humiliation; which, in substance, is thus related by our historians. The
1174 king took a resolution to visit the archbishop's tomb at Canterbury, and there endeavour to make him his friend after he was dead, who never had been otherwise while he was alive, any farther than duty and zeal for religion had engaged him to be. When he came within three miles of the city, and sight of the cathedral, he dismounted from his horse, and, putting on a coarse woollen garment, he walked barefoot the remainder of the way. When he arrived at the archbishop's tomb, he immediately threw himself upon the ground, where he expressed his sorrow in a flood of tears; and, to render his humiliation more remarkable, the monks and priests were permitted, at his request, to scourge him with whips. Having spent the rest of the night in prayer, and, in the morning, attended at the sacrifice of the mass, he gave orders that very rich presents, and considerable lands, should be bestowed upon the church of Canterbury; and, the same day, returned to London. This happened in the year 1174.[1] And now Heaven, being pleased with this heroic act of religion, could not long defer giving demonstrations of it, by the success of his majesty's arms; for it is observed,

[1] Gul. Newbr. l. 2, c. 34, 35; Diceto, 576, 577; Gervase, 1427; Hoved. 539.

that, the very same day that he prostrated himself at the archbishop's tomb, a very small body of his troops routed a numerous army of the Scots, and took their king prisoner; and, not long after, the king being informed that his three rebellious sons, in conjunction with the king of France, had laid siege to Rouen, he posted thither, broke through the enemy's camp, and raised the siege. This success was followed by an entire suppression of the rebellion, and he was reconciled to his sons, upon terms honourable to himself, though much more favourable to his children than their behaviour had deserved.[1] About the same time, also, peace was concluded with Scotland; when both king William, and his brother David, whom king Henry had kept sometime prisoners, were released; yet, upon conditions that Scotland paid homage to England, as they had done more than once, in former reigns; and, moreover, that the Scotch bishops should be under the jurisdiction of the church of England.[2]

About the year 1176, there might have been a quarrel between the king and the see of Rome, had there not been some condescension on one side. Pope Alexander III. sent his legate, cardinal Vivianus, towards Scotland, where he was to regulate some matters that were amiss there, and in the adjacent islands; and happening to touch in England without the king's leave, his majesty deputed Richard, bishop of Winchester, and Geoffrey, bishop of Ely, to question him about his business. The cardinal appeared somewhat alarmed at the message; but, having promised by oath, that he would not exercise his legatine power without the king's leave,

[1] Newbr. l. 2, c. 35, 36; Diceto, 578, 579, 586; Gervase, 1427; Hoved. 540.

[2] Hoved. 545. ["Concessit autem rex Scotiæ domino regi quòd ecclesia Scotiæ talem subjectionem amodo faciet ecclesiæ Angliæ, qualem illi facere debet, et solebat tempore regum Angliæ, predecessorum suorum." (Ibid.) Thirteen years later, however, William appealed to pope Clement III., on this subject; and the pontiff replied by a brief, dated March 13, 1188, wherein he abolished the jurisdiction of York over the Scottish church, and finally established the latter in immediate dependence on the Roman see. "Ut Scotticana ecclesia apostolicæ sedi, cujus filia specialis existit, nullo mediante, debeat subjacere."—Ibid. 651.—*T.*]

he was permitted to proceed in his journey.[1] In the following year, pope Alexander III. sent Peter, a cardinal priest, of the title of St. Chrysogonus, into France, with instructions to put Normandy, and other provinces belonging to the king of England, under an interdict, if he refused to confirm the promise of marriage, solemnly agreed to between Richard, son of king Henry, and Alecia, daughter to Louis, king of France; but king Henry appealing to the pope immediately, and his reasons being considered, the legate returned *re infectâ*. However, the breach was made up between the two kings, who, soon after, mutually tied themselves by oath to engage in the holy war.[2] In the year 1183, some

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[1] Juravit regi, quòd ipse nihil ageret in legatione suâ, contra voluntatem ipsius; et sic data est ei licentia transeundi usque in Scotiam. Hoved. 553.

[2] Hoved. 570; Gervase, 1442.—[To this period belongs the dispute, between Richard, archbishop of Canterbury, and the monks of St. Augustine's, which, as offering an early instance of the dissensions, produced by the exemption of the religious houses from the jurisdiction of the ordinaries, I may here be permitted to mention. On the deposition of Clarembold, the last abbot, Roger, a monk of Christ-church, was elected to succeed him. To complete the appointment, however, it was necessary to procure the benediction of the primate: but the prelate required, the monk refused, the usual promise of canonical obedience; and Roger, to vindicate the pretended immunities of his house, immediately carried the cause to Rome. The pope—it was Alexander III.—decided in favour of the appellant. By letters addressed both to Roger and to the archbishop, he declared that the monks in question were subject only to the jurisdiction of the holy see: he commanded the primate forthwith to bless the new abbot, without the required promise of obedience; and he informed him, that, in case he should refuse or neglect to execute this injunction, within the next thirty days, the bishop of Worcester had already received directions to perform the ceremony in his stead. But Richard was not disposed to surrender the canonical rights of his see. When the thirty days had expired, nothing had been done: and when the bishop of Worcester was summoned to discharge his commission, it was discovered that the king had forbidden him to interfere, in derogation of the privileges of his metropolitan. Roger was now again compelled to return to Rome. The commands of the pontiff had been disregarded; the hostility of the king had been provoked; and the hope either of concession, or of submission, was now at an end. As a last resource, Alexander, with his own hand, conferred the necessary benediction on the new abbot.—Gervase, 1444—1446; Thorn, 1819—1826.

But, if the primate was thus defeated on one point, he was still resolved, if possible, to vindicate his authority on others. The privileges, exercised by the monks, were neither limited to their own precincts, nor confined to the members of their own body. They claimed the custody of all vacant churches on the lands of the abbey: they asserted the right of instituting to all benefices belonging to their presentation; and they insisted that every clergyman attached to their livings, every tenant and servant connected with the property of the house, should share their own exemption from the spiritual jurisdiction of the archbishop. Richard refused to acknowledge these immunities: the monks, to

malecontents, in the king's dominions abroad, had stirred up the king's sons to attempt another revolt; upon which account, the king ordered a great number of nobility, bishops, and abbots, to assemble at Caen, in Normandy, where some of the English prelates were present. At this assembly, ecclesiastical censures were pronounced against all, that were concerned against the king. Henry, the king's eldest son, died the same year, and repented sincerely for his disobedience; and, three years after, in 1186, Geoffrey being killed by a fall from his horse, there was an end of those troubles. In the year 1189, Philip Augustus, king of France, having proclaimed war against king Henry II, pope Clement III. sent John Anagninus, cardinal, and apostolic legate, to make up matters between them. He had orders to put France under an interdict, if their king refused to hearken to reasonable terms: but Philip had no regard to such threats, alleging, that he knew the strength of his own pretensions, and that the see of Rome had no

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enforce them, appealed, as usual, to Rome; and a commission was at length named, to examine the several charters of the abbey, and decide between the conflicting claims of the two parties. But the commission was not deemed sufficiently favourable to the religious. A series of delays, and evasions, and frivolous objections, was followed by another appeal. Another commission was issued: the judges assembled at St. Saviour's monastery, in Bermondsey; and the monks were ordered to produce their charters, for the inspection of the court. Of these boasted instruments, however, few were to be discovered. The grants of the popes, Gregory, Adeodatus, and John, which had been appealed to, were nowhere to be found: those of Agatho, and Boniface IV., had been taken, so it was said, to Rome, on the occasion of the last appeal; had been privately exhibited to the pope, after the departure of the archbishop's agents; and had been retained in the custody of the pontiff, to prevent their being lost on their way home. Two only were produced; one purporting to be the charter of the founder, the other, the grant originally made by St. Austin; but both bearing on their face the strongest evidence of forgery. These were transcribed by the commissioners, and embodied in a report, which was drawn up, and forwarded to Rome. Before it could arrive, however, Alexander was dead: a fresh appeal was lodged in the presence of his successor, Lucius; and another protracted, and perhaps useless investigation was about to commence, when the king, anxious to terminate the contest, ordered the monks to submit. A form of agreement was now drawn up, and signed. In it, the abbot, on the part of his brethren, renounced the most obnoxious of the claims; and, in return, received from the archbishop a permission to take charge of all vacant benefices belonging to the abbey, and an assurance, that, during *his* tenure of the abbacy, the disputed question of obedience should be waived. Thus, for the present, closed a controversy, which, in various forms, was too soon, and too frequently, to be revived.—Gervase, 1458; Thorn, 1830—1837.—*T.*]

right to pronounce upon matters of that kind. This proved an unsuccessful war to Henry II, which, together with the unkind behaviour of his sons, preyed so upon his spirits, that he became melancholic, and
1189 died not long after, having first disposed himself for his exit, by confession, and receiving the sacrament.[1] This was the end of this great prince, whose reign affords us instances both of good and evil. In regard of his bad qualities, historians tell us that he oppressed the church for a considerable time; that the death of St. Thomas of Canterbury is a flaw in his character; that he loved women, to the injury of conjugal right; that he was not a little covetous, and encouraged the Jews in their extorting methods, whereby he was supplied with money, to the great oppression of the subject; that he kept episcopal sees, and other spiritual dignities, vacant for a long time, purposely to increase the treasury. In regard of his good qualities, they tell us, that, besides those that were personal, and which nature had enriched him with, he was just to the greatest nicety, where private property was concerned; that he loved churchmen in general, and was desirous they should flourish, of which there cannot be a greater proof, than the care he took to have them excepted in the cases of a general tax; that he never lay hard upon the subject in any tax, but when the public good urged him to it, unless the decimation for carrying on the holy war may be reckoned as an instance of oppression.[2] Not only the church of England, but the peace of the universal church, were his care, as it appears by his opposing all schismatical proceedings; and in particular, by his being one of the first that acknowledged Alexander III. to be truly elected.[3] His zeal for religion engaged him

[1] Hoved. 619, 620, 631, 652, 654.

[2] Newbrig. l. 3. c. 26.

[3] Newbrig. l. 2. c. 9. The controversy, between king Henry II. and archbishop Becket, was carried on with due respect to the see of Rome; for, though three anti-popes were successively put up by the emperor, Frederick Barbarossa, who maintained a schism for seventeen years, yet he never could prevail on king Henry II. to take part against Alexander III., the true pope; and though Henry often refused the mediation of the pope's legates, yet, at the

in the holy war, where he designed personally to have shown his conduct and bravery ; but domestic troubles diverted him, and death prevented him. He was a great friend to all religious orders ; especially, the Cistercians, Monks of Cluny, Knights Templars, and Carthusians, were partakers of his favours. One instance, of St. Hugh, bishop of Lincoln, who was preferred by him merely upon account of his holy life, is a sufficient proof that he was as good a judge of true merit, as he was willing to reward it. Those that are desirous to be more fully informed of his good dispositions, may be satisfied from the large alms he ordered by his last will, which bears date in the year 1182.[1]

The reader may observe all along, in the lives of our kings, that, though they sometimes oppressed the church, by making a market of the ecclesiastical dignities, yet they always took care to preserve them, and multiply all sorts of pious foundations ; which were very useful, not only on account of religion, and a future state, but also to answer the best purposes of this life. And, in this, king Henry II. imitated the good example of his predecessors, by founding or endowing several religious communities ; for instance, Stanley priory ; St. Martin's priory, in Dover ; Basingwark priory ; Witham priory of Carthusians ; the abbey of Fontevraud, in Normandy ; he also placed regular canons at Waltham, formerly held by seculars. His mother founded Bordesly abbey. Then, the following establishments had their rise from others, in his reign : Westwood, or Lesnes, in Kent, in honour of St. Thomas, was founded by lord Lucy ; Wigmore monastery, by Hugh Mortimer ; the priory of St.

same time, he appealed to the pope: "Appellavit pro se, et regno suo, ad presentiam summi pontificis." Hoveden, 515. There are several other instances of the same kind; as when he desired the pope to exercise his spiritual power against his rebellious sons: "Vestræ jurisdictionis est regnum Angliæ, &c.; experiatur Anglia quid possit Romanus pontifex." Epist. Hen. II. ad Alexand. III. apud Petrum Blesensem, epist. 130. Again, the pope's power was made use of when regular canons were placed in Waltham Abbey, and seculars removed: "Rex, authoritate domini papæ, instituit in ecclesiâ de Waltham canonicos regulares." (Hoved. 560). "Authoritate summi pontificis sub presentiâ regis." Walsingham, Ypodig. Neustriæ, 451).

[1] Gervase. 1520; Hoved. 641 ; Rymer, i. 57.

Thomas of Canterbury, of regular canons, near Stafford, by Richard Peachy, bishop of Coventry and Litchfield, who entered himself among them, and died in 1182; St. John's hospital, at Bath, by Reginald Fitzjoceline, bishop of Bath and Wells, and afterwards archbishop of Canterbury; a hospital at Stroud, near Rochester, by Gilbert Glanvil, bishop of that see; Trinity church, at Ipswich, with several hospitals, by John, called Oxoniensis, bishop of Norwich.[1] These, with several other pious foundations, were the product of this reign, which I shall close up, after I have taken notice of a few occurrences which fall in with these times. The empress Maud died in Normandy, in 1167. Pope Adrian IV, an Englishman, is said to have given Henry II, I do not know what commission to invade Ireland. Gilbert Foliot, bishop of London, though otherwise a good prelate, appeared at the head of those that persecuted St. Thomas of Canterbury. St. Hugh, whom I mentioned before, was made prior of Witham by Henry II, and afterwards bishop of Lincoln. He died in 1200. Matthew Paris gives an account of his life, and of several miracles that were wrought by him; and particularly observes, that the king consulted him chiefly, in matters relating to the church.[2] I find in this reign, that some of the bishops of Coventry and Litchfield still used Chester in their title, it belonging to their diocese, and one or two of their predecessors having sat there. Sylvester Giraldus, called Cambrensis, was a noted person of this and the two following reigns. The account we have of him from Hoveden, and others, is, that he was nobly born; had been much abroad; sometime read a lesson of divinity in Paris; was first tutor, and then secretary, to prince John, the king's son; was elected bishop of St. David's, and attempted to restore the metropolitical power of that see. He was alive, at the beginning of the following century; but the precise time of his death is unknown.[3] Geoffry of Monmouth also belongs to this age; but what he is chiefly taken notice of for, is, a

[1] Dugd. Monast. in locis. [2] Paris, 79, 170, 171. [3] Pitts, 278.

history he wrote, which gives an account of the Britons, and the several kings that governed this island, before the birth of Christ; wherein he has not met with credit, at least among the modern English critics, though he pretends to quote authentic records. However, he has a great many advocates, and those good critics too, who tell us, that William of Newburgh was the first that attacked his history of the Britons, which he was provoked to, by being disappointed of a mitre in Wales, which David ap Owen, prince of Wales, had refused him. Besides, the generality of our historians have always allowed of the account, given by Geoffry, of the succession of British kings from Brutus.[1]

Richard I, one of Henry II's sons, was the next that mounted the throne; he was commonly called Cœur de Lion, from his singular courage and bravery. On the day of his coronation, there was a general slaughter made of the Jews that inhabited London. Their behaviour, in the late reign, had provoked the English to commit this piece of barbarity; for, being very skilful in the management of money, the king had made use of them in contriving several taxes, which were burdensome to the nation, which, it seems now, on Henry II's decease, they paid dear for. Some historians insinuate, as if king Richard, if he did not order this execution, at least encouraged it: others are willing to excuse him, both from the one and the other.[2] His father having formed a design of entering into the holy war, Richard pursued it in conjunction with the king of France, and several other christian princes; and, to procure money for his purpose, renounced the homage paid by Scotland.[3] When king Richard was upon his expedition towards the

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[1] On this subject, see Pitts, 217.—In this reign lived also Simeon of Durham, a learned historian. He begins where Bede left off, and ends with the year 1129. About the same time, or soon after, we have the historians, Henry of Huntingdon, William of Newburgh, Gervase of Canterbury, Roger de Hoveden, Ralph de Diceto, Walter of Coventry, Matthew Paris, and others.

[2] The massacre of London was followed by similar enormities in several other parts of the kingdom. Five hundred Jews, in York, rather than fall into the hands of their enemies, first cut the throats of their wives and children, and then inflicted the same fate on themselves. Hoved. 665; Hemingf. 617; Newbr. l. 4, c. 10.

[3] Richard's charter to the king of Scots is in Hoveden, 662.

Holy Land, he touched in Sicily, where some differences happened between him and Tancred, king of that island; which being made up, and an alliance concluded, one article was, that Tancred's daughter should be married to Arthur, duke of Britany, nephew to king Richard. The instrument of this agreement is to be seen in Hoveden, who gives us king Richard's letter to pope Clement III, acquainting him with the transaction.[1] The government of England, during king Richard's absence, was committed to the care of William Longchamp, bishop of Ely, who, being both lord chancellor and the pope's legate, by the strength of his double capacity was in full power to inspect and direct all matters belonging both to church and state.[2] The ground he stood upon being very slippery, he was not able to keep his feet for any long time. Frequent complaints were made against his administration, by the clergy and nobility, but chiefly by John, the king's brother, who made use of many indirect means to depreciate that great statesman, and strip him of his authority; and it was not long before they obtained their ends, the whole nation in a manner conspiring against him. But this could not be legally done, till king Richard had been informed of matters, and his orders sent over. This method being taken, and proving effectual, Walter, archbishop of Rouen, whom king Richard had taken along with him as far as Sicily, was sent back into England, where he first was an assistant to the bishop of Ely, in the chancellorship; but the nation not being content till the other was entirely deposed, Walter acted solely, and gave content, being a person of singular capacity and moderation. In the meantime, the bishop of Ely, considering that his expulsion was rather a mobbish business, than a legal proceeding, appeals to the pope, who, at that time, was Celestine III. The pope, thinking it his duty to protect

[1] P. 676—678. "Justiorem exitum facta principum sortiuntur, cùm a sede apostolicâ robur et favorem accipiunt, et sanctæ Romanæ ecclesiæ colloquio diriguntur." Ib. 677.

[2] Roger, bishop of Durham, was joined in commission with Longchamp, but was soon laid aside by the other's policy.

one, that was both a bishop and also a legate of the holy see, sends orders to the archbishop to have him restored; adding that all ought to be excommunicated, that were concerned in his expulsion. These orders from Rome so encouraged the bishop of Ely, that he rallied again, and had two topics to insist upon. First, that, as a bishop, it belonged to the pope to pronounce upon his case; and, as to his regency over the nation, during the king's absence, it did not appear that his majesty had sent over any orders to oblige him to lay down that office. Upon which, he begins to exercise his legatine power, and excommunicates several of the bishops and nobility, who were chiefly instrumental in his expulsion; and spares not Walter, archbishop of Rouen. On the other hand, his adversaries go on, without taking notice either of his censures or the pope's orders, alleging, that the controversy was chiefly about mal-administration of the civil government, a point the pope had nothing to do with. Upon this, Walter, archbishop of Rouen, with the consent of the nobility, &c. seizeth the bishop of Ely's revenues.[1]

I must here take the liberty to observe, that our historians are not to be read without caution, in the account they give of the bishop of Ely. The character of a public minister lies very much exposed; and nothing is more common, than to charge him with every mismanagement that happens while he sits at the helm. I am inclined to think the bishop of Ely was too imperious. But then, if we consider that the chief enemy he had, was John, the king's brother, who took this method to plant himself in the people's favour, during the king's absence; that the bishop published his own justification, and undertook distinctly to confute his adversaries in every point of their accusation; and that the king, after his return from the Holy Land, still had a regard for him; these things, I say, being considered, some writers will be obliged to abate a little in the character they give of him.[2]

[1] Hoved. 701, 702, 706, 707; Angl. Sacr. ii. 390—400.
[2] Hoved. 705, 769; Godwin, in vit. Willelmi Episc. Eliens. 251—254.

I must not, upon this occasion, omit a passage concerning Walter, archbishop of Rouen, who, in a case which has a great resemblance with that of the bishop of Ely, was full as stubborn as he, and carried his resentment as far. The case, in short, was this: in the year 1197, there happened to be a contest between king Richard and Walter, archbishop of Rouen. The king had built a castle, with other fortifications, upon certain lands belonging to the see of Rouen; the archbishop made grievous complaints, and resented the seizure so much, that he interdicted the whole province for being concerned in the fact. The king took the cause in hand, and sent his agents to Rome. The matter being referred to pope Celestine III, it was alleged, on king Richard's part, that there was a necessity of erecting fortifications in the aforesaid place, to hinder the French from making incursions into Normandy; and that the king had no design to oppress, or do any wrong to the church, by this undertaking. It was farther added, that an equivalent had been offered to the archbishop, for the town, castle, and lands, which his majesty found himself obliged to take possession of, for the defence of his dominions. The pope, having heard the case, in the first place severely reprimanded the archbishop for his rash proceeding, and took off the interdict. Then he gave his opinion, that the king might make use of proper means to secure his dominions. In the conclusion, he advised both parties to compound the matter. Afterwards, king Richard called an assembly of the nobility, bishops, and abbots of Normandy, where it was determined, that the town of Dieppe, with its dependencies, and some other privileges, should be allowed, by way of equivalent.[1] This passage may be taken notice of, as an argument of king Richard's good inclinations towards the church, which he would not suffer to be deprived of any of its rights. He finished his
1199 days not long after, a wound ill-cured being the occasion of his death. History gives a great character of

[1] Hoved. 769.

this prince, who, though formerly he had taken some liberties, yet was reclaimed, towards the latter end of his reign.

We meet with very few religious foundations in king Richard's days; his absence, and the controversies among the bishops at home, obstructing those good designs. However, I find two that are ascribed to these times; namely, the priory of Royston, founded by Eustachius de Mark, knight, a house of regular canons, in honour of St. Thomas. Royston took its name from Roysia, a virtuous lady, who, in former days, had erected a cross there. Afterwards, it became a place of devotion, and by degrees a town. Another pious foundation was West-Derham monastery, by Hubert Walter, afterwards archbishop of Canterbury.[1] Bishop Godwin, in his account of the English prelates, makes mention of three excellent archbishops, who successively held the see of Canterbury, about these times: Baldwin, who went with king Richard into the Holy Land, where he died, and by preaching, liberal alms, and a continual example of a most virtuous life, did great good there: Reginald Fitzjoceline, who with tears unfeignedly besought them to make choice of some other, and died within a month; and Hubert Walter, who was so industrious in making collections among the clergy for the ransom of the king. "He was an excellent and memorable man, a bridle unto the king, and obstacle of tyranny, the peace and comfort of his people."[2]

I will take leave of this reign, remitting the reader to our historians for the warlike exploits; only I must not omit the hardships this glorious prince underwent, when he was upon his return from the Holy Land. Having escaped a dangerous storm at sea, he met with another much more dangerous at land; for, being cast upon the territories of Leopold, duke of Austria, the duke, upon a pique he had against him (occasioned by some punctilios which happened in Palestine), seized him, and delivered him up to the emperor, Henry VI;

[1] Dugd. Monast. ii. 264, 624.

[2] Godwin, in vitis, 82, 83, 85.

who, contrary to all laws, detained him prisoner.[1] And now one calamity was followed close by another; Philip Augustus, king of France, seizeth the juncture, and falls upon Normandy. John, king Richard's brother, raiseth commotions in England, and withal makes a party, in order to obtain the crown; for he was in hopes the king would never return. Pope Celestine, in the meantime, labours all he can, in favour of the captive king; he threatens the emperor with excommunication, unless he delivers him up; the same threats he sends forth against the king of France, unless he withdraws his troops out of Normandy. At length, by these and other methods, the emperor was prevailed upon to release the king; but it was upon the terms of an exorbitant ransom, which was collected by a free gift of the subject, upon which occasion the bishops distinguished themselves. Richard landed in England March 20th, 1194.[2]

Though the next in blood was Arthur, nephew to Richard and John, yet, he being out of England, upon the decease of the late king, in 1199, John was
1199 proclaimed, and crowned with the general consent of the bishops and nobility. And not long after, Arthur was taken out of this life, whether naturally, or by a violent death, I will not determine; though it is generally believed, that king John, having taken him prisoner, ordered him to be privately dispatched in the castle of Rouen, where he was confined.[3] And if we may judge of the works of Providence by the calamities

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[1] The emperor alleged several reasons, in the diet, for this detention;—that Richard had confederated with Tancred, the usurper of Sicily, that he had turned the arms of the crusade against the christians of Cyprus, that he had procured the assassination of the marquess of Montserrat, and that he had insultingly removed the duke of Austria's standard from the walls of Acre. Richard answered these charges, in an eloquent and effective speech.—Hoved. 722; Paris, 145; Brompt. 1252.

[2] Hoved. 724, 725; Newbr. l. 4, c. 32; Brompt. 1253. His ransom was 10,000 marks. Hoved. 728; Newbr. l. 4. c. 32.

[3] Sed non multò post, idem Arthurus subitò evanuit, modo ferè omnibus ignoto, utinam non ut fama refert invida. (Paris, 174.) Quem, feriâ quintâ ante pascha, post prandium, ebrius et dæmonis plenus, propriâ manu interfecit. (Annal. de Margan, 13.) Arthurum, scilicet, filium fratris sui senioris, Galfridi, occidit per manum armigeri sui, Petri de Malo Lacu. Knyghton, 2413, 2414.

which, in all appearance, are designed as punishments of the wickedness men are guilty of, the misfortunes, which attended king John's reign, are a token of some atrocious fact he had been concerned in. I will only mention some occurrences which relate to the church. It is a thing not to be wondered at, if he, who trampled upon the laws of his country, and waded through blood, to come at the throne, should pursue his ambition to the prejudice of inferior bodies and private property. Besides the war with France, he had a controversy with pope Innocent III., which was attended with such consequences, as made him uneasy all the rest of his reign. This pope had nominated to the see of Canterbury Stephen Langton, a person thoroughly qualified for that dignity, yet not to the king's liking; either because he suspected the person, upon account of his foreign education, or rather, he judged it to be a part of his prerogative to nominate the person.[1] Hence he refused to

[1] The nomination and election of bishops was a continual source of contention: the king, the chapters, the pope, one way or other, put up a claim either to name, elect, or confirm. [Nor was this all. Wherever the cathedral church was attached to a monastery, the monks, who had contrived to usurp the place, and exercise the rights, of the chapter, invariably claimed the exclusive privilege of choosing the bishop. In the case of Canterbury, this led to constant disputes. The suffragan prelates, deprived by it of their canonical share in the election of the metropolitan, resisted the claim: the monks, on the other hand, as strenuously asserted it: the death of each primate became the signal for renewed warfare; and the triumph of one party was only followed, on the next occasion, by the increased exertions of the other. See the several elections in Gervase, 1304, 1306, 1423—1426, 1466—1474, 1583, 1584.

In its origin, the controversy, mentioned in the text, was not unconnected with these disputes. On the death of Hubert, archbishop of Canterbury, the monks of Christchurch, anxious to secure the disputed right of electing his successor, assembled secretly in the night, and, having placed Reginald, their subprior, on the archiepiscopal throne, first exacted from him an oath that he would conceal his appointment, until it should have been communicated to the holy see, and then despatched him, to lay the matter before the pontiff. But the vanity of the monk soon divulged the secret of his election; and his brethren, to elude the probable consequences of his imprudence, at once resolved to treat their previous acts as informal. The royal permission was now solicited and obtained, to proceed to an open election: at the recommendation of the crown, John de Gray, bishop of Norwich, was chosen to fill the vacant primacy; and a body of monks was deputed to announce his appointment, and procure its ratification from the court of Rome. As might have been anticipated, the claims both of Reginald and of Gray were equally rejected by the pope. If the election of the former were irregular, that of the latter was not less informal, having been made before the nullity of the other had been declared. Innocent pronounced both to be invalid: he forbad either Reginald or de Gray to aspire

admit the new prelate. Innocent, on the other hand, was resolved to enforce the appointment; and the controversy, by degrees, arrived to such a height, that the whole kingdom was at length (an. 1208) put under an interdict. To evade the royal anger, the bishops, who had ventured to publish the interdict, fled to the continent. Others, who had equal reason to apprehend the resentment of the monarch, retired to Scotland: their revenues were instantly confiscated for the use of the crown; and all the clergy and religious in general lay under a great oppression. When the pope came to be informed of this behaviour of king John, and that no arguments were sufficient to reclaim him, at length he was excommunicated; and, still to terrify him the more, the king of France was encouraged and pressed to make war with him, as being a public enemy and destroyer of God's church; adding, at the same time, that, king John being expelled, France might become master of all the English dominions.[1] In a little while, king John found himself in very bad circumstances; the French threatened him from abroad, and all churchmen whatever were exasperated against him at home. Wherefore, by the persuasion of Pandulph, the pope's legate, he recalled the bishops and abbots from banishment, and put them into possession of their lands. Afterwards, he runs into the other extreme of behaviour, in regard of the see of Rome. And whether it was to tie the pope faster to his interest, in opposition to any attack from the French, or to provide himself against any insurrection of his

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to the vacant see; and, having written to the king, requesting permission for the monks to proceed to a new election at Rome, offered Langton, an Englishman, and a cardinal of the Roman church, as the object of their choice. At the end of several months, no answer had been returned by the English monarch: but the monks, in the meantime, either by threats or entreaties, had been induced to unite their suffrages in favour of the cardinal; and, in the city of Viterbo, on the seventeenth day of June, 1207, that prelate was at length consecrated by Innocent himself. See Paris, 178, 179, 186, 187, 189; Westm. 266, 267, 268.—*T.*]

[1] Rege Anglorum à solio regni expulso, ipse [rex Franciæ] et successores sui regnum Angliæ jure perpetuo possiderent. Paris, 195. [John, however, could scarcely complain of this proceeding; for he had himself so far acknowledged the temporal authority of the pope, as to invoke it against Philip, for the recovery of Normandy. Decret. Novit. cap. 13, de judiciis.—*T.*]

subjects at home, whom he might provoke by an abuse of his power, or whatever might be the motive that induced him to it, he made the kingdoms of England and Ireland tributary to pope Innocent III., and his successors, bishops of Rome, by a public instrument, signed in the knights-templars' church, near Dover; which was accepted by the pope's legate, who received homage from the king, in the pope's name.[1] 1213

About two years after this remarkable submission, his subjects, having, during that time, experienced many instances of his arbitrary proceedings, conspired together to demand, sword in hand, that king Edward's laws, and other laws made in former reigns, for supporting the liberties of the people both in civil and religious matters, should be revived and put in execution. The king, finding that his subjects were unanimous in their demands, was obliged to comply; and, accordingly, a charter was drawn up, specifying all the concessions in favour of the people's liberties; and which, in the ensuing reign, and ever after, was called Magna Charta. But no sooner were these petitioners (as they thought) made happy by these concessions, than the king began to reflect on what he had done, and heartily repented for his folly. His business afterwards was to find out some way of annulling the agreement. And, to bring this about, he applies himself to pope Innocent III., to whom, as I observed before, king John had made a grant of his two kingdoms of England and Ireland, as far as he was capable of making such a grant. In the letter king John sent to the pope, he desired to be dispensed with, as to the agreement and concessions between him and his subjects. The pope, having considered the reasons he alleged, and, besides, having regard to the *supremum dominium* he was supposed to enjoy over the king's dominions, came easily into his measures, and ordered a diploma to be drawn 1215

[1] Paris, 187, 188, 189, 190, 195, 197, 199; Chron. Petrob. ad an. 1209. [The assertion that John did homage to the pope, in the person of Pandulf, the legate, is in accordance with the general supposition; but has been shown by Dr Lingard to be in opposition to the fact. Hist. of Eng. ii. 235, note 44.—*T.*]

up, by virtue whereof the charter of liberties was made void; and, at the same time, threatening letters were sent to the barons, requiring their submission to the king, as usual before the charter was granted. Neither did the pope forget to put them in mind, that they had given disturbance to a kingdom which belonged to the holy see.[1] By this means the breach was widened, and the barons had two quarrels upon their hands, one with the king, and the other with the pope. The authority, which the pope claimed over them, being both civil and ecclesiastical, and the latter being useful to support the claims of the other, the barons were not only threatened, but actually excommunicated; and their adherents, both in general, and many of them by name, underwent the same fate. The barons had the king's example before them how to manage in such a juncture. King John had made his kingdom tributary to the see of Rome, when he was afraid of falling into the hands of the French, and not being obeyed by his own people; and now the barons, to free themselves from the tyrannical power of king John, offer the kingdom to the French. And accordingly, in the year 1216, an army lands from thence, under the command of prince Louis, the king of France's son, who being joined by the major part of the barons, a bloody war was begun in the bowels of the kingdom; but king John, dying the same year, never saw the issue of it.[2] A nameless author reports, that he was poisoned by a monk; but a contrary account is given us by authentic history, which informs us, that he died a natural death, and prepared himself by receiving the sacraments of the church.[3] Yet Matthew Paris, who was contemporary, owns, that he was scarce a christian; that he entertained some doubts concern-

[1] Paris, 215—220, 223. Cum regni dominium ad Romanam ecclesiam pertineret. Ib. 224.

[2] Paris, 227, 233, 234, 236, et seq.

[3] [Paris (242), and Westminster (276) say that he fell a sacrifice to the combined effects of grief and surfeit; the Annals of Waverley (182) that he died of grief alone; and Hemingford (560) that he was destroyed by poison, administered to him in a pear. Wikes (38), and Knighton (2425) repeat the story of the poison; but the former qualifies it with an "*ut dicitur*;" the latter speaks of it only as the "*vulgata fama*."—*T.*]

ing the resurrection and other articles of faith, and would often break out into very blasphemous expressions.[1] Among all the passages of this king's life, none is more surprising than the resignation of his kingdom to the see of Rome; but it is much more surprising, that some authors should mention it as an effect of his zeal for the church; whereas other writers represent it as an unparalleled instance of folly and injustice, and entirely owing to pique and resentment. For, as they reason upon the point, had he not sworn to maintain the liberties both of church and state? Did he scruple to break his oath upon any serviceable occasion, in favour of his avarice and ambition? Was not alienating the crown, and selling his subjects to a foreign power, a total deviation from the rules of justice and laws of nations? And how could such a behaviour as this be reconcileable with the principles of religion? Was it an instance of zeal for the church, when he made the same offer to a Mahommedan prince? The particulars whereof are related by Matthew Paris, who tells us, that king John, being resolved to take revenge of his subjects, because he could not bring them to a compliance, offered to make his kingdom tributary to Admiralius Murmelius, or Miramolin, king of Morocco and of part of Spain; and that he sent ambassadors to him, to treat upon the matter, promising, at the same time, that he himself would become a Mahommedan. Now, the king of Morocco was so far from accepting of this offer, that he rejected it with indignation, and ridiculed king John as a poor despicable prince, not fit to sit at the head of a free nation. This may, perhaps, appear like a romantic story, or the invention of some of king John's enemies, who had a mind to expose his character and vilify him; but Matthew Paris assures us, he received these particulars from one of the company that was sent upon

[1] Paris, 206. Rapin, and some others, observe, that Matthew Paris ought to be read with caution, it being scarce credible what he taxes king John with. They would do well to use the same caution, in what relates to pope Innocent, whom he lashes, without any regard either to truth, modesty, or christianity.

that remarkable embassy.[1] After all, great allowances are to be made in all exasperated times; and, questionless, king John's picture was often drawn with great disadvantage. This the reader must carry along with him; and, in the meantime, we must not forget to take notice of those good works, that were performed in his reign, both by himself and others.

King John is said to have founded the abbey of Bowley, or Beaulieu, in the New Forest; the abbey of Farendon, as also Hales-Owen, in Shropshire; and to have rebuilt Godstow, near Oxford, and Wroxal monastery, in Warwickshire. In this king's reign, were founded, St. John's hospital, at Wells, by Hugh Wallys, bishop of Lincoln; Tickford monastery, of regular canons, Selbourn priory, in Hampshire, St. Thomas's hospital in Southwark, and a hospital at Portsmouth, by Peter de la Roche, bishop of Winchester. This bishop of Winchester, otherwise styled Peter de Rupibus, was a person of great interest, both at home and abroad, and was very instrumental in making up the differences between the emperor Frederick and the see of Rome, which otherwise would have put all Europe in a flame. In this reign, also, a convent of friars was placed in the island of Anglesey, by Leolin, prince of Wales. One of the great lights of the church of England, in this reign, was Stephen Langton, cardinal, and archbishop of Canterbury, who, as bishop Godwin gives his character, was, in all respects, qualified for his place, of great learning, and richly endowed with many natural gifts, both as to body and mind.[2]

1216 When Henry III., son of king John, came to the crown, he was in such circumstances, that he found himself obliged to behave as his father had done, in regard of the see of Rome; and, accordingly, he paid homage to the pope for the kingdoms of England and Ireland, with the promise of a 1000 marks, as usual, by way of acknowledgment. This ceremony was per-

[1] Paris, 204—206.

[2] Dugd. Monast. i. 925; ii. 434, 439, 655; Paris, 399; Godwin in vit. Langton, 86 et seq.

formed in the presence of Gualo, the pope's legate.[1] I observed before, that the barons had called over prince Louis, with a French army, to assist them in the recovery of their liberties; and that king John, when he died, left the nation engaged in a civil war. Now, king Henry's next business was, to get rid of this troublesome guest, prince Louis; which he effected in a little time, having first humbled him, by a remarkable victory he obtained near Lincoln, the consequence whereof was prince Louis's departure from England.[2] In the year 1225, a parliament assembled at Westminster, where the king, in a very solemn manner, confirmed the famous charter called *Magna Charta*, which provided for the liberties of the people, both in civil and religious matters, and which had been the subject of a long contention, and the cause of a great deal of blood being spilt.[3]

All this while, the generality of the nation, both nobility and clergy, could not relish their subjection and dependence upon the see of Rome, as it had been imposed upon them by king John, and still was practised by his son, Henry. The bishops, in particular, complained of many abuses which arose from this dependence: as namely, that the pope sent his legates over too often, and even upon any frivolous occasion; that he assumed a power of nominating to all the best benefices; that his officers were exorbitant in their fees; and, by these and such like methods, the episcopal power was almost become insignificant, and the church of England languished under a kind of slavery. And what made their condition still worse, the king went hand-in-hand with the pope's officers in all these prac-

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[1] Fecit homagium sanctæ Romanæ ecclesiæ, et Innocentio papæ, de regno Angliæ et Hiberniæ; et juravit quòd mille marcas, quas pater ejus Romanæ contulerat ecclesiæ, fideliter persolveret, quàmdiu prædicta regna teneret. Paris, 243.

[2] Paris, 249, 252; Annal. Waverl. 183.

[3] Annal. Burton. 271—278; Paris, 272. [The charter had already been twice confirmed by Henry; first, on the day of his coronation, and again, in 1218; but its provisions had hitherto been eluded. Lingard, ii. 276, 288.—*T.*] Amongst other things, it declares, 1st, that the church of England shall be free, and that its liberties shall be secured against the civil magistrate (cap. i.); 2d, that patrons of abbeys shall have custody of them, during a vacancy (cap. 33.)

tices. The story of those times is full of this matter; but Matthew Paris, in particular, though his fidelity is not to be questioned as to matters of fact, he being an eye-witness, yet is so visibly carried away in his reflections against the pope and the king, that he is not to be read without some caution. However, this historian tells us, that king Henry was so wrapt up with the pope's legate, Otho, that he adored the very ground he walked upon; that he followed his directions in all affairs, both public and private, and placed him under a canopy, upon a kind of throne, at his table; that his subjects of all ranks were continually uneasy, upon this account; and the more, because he seemed not sensible of the inconveniences, which his country was exposed to, by such a behaviour. However, at length, people began to be so clamorous upon the subject of the papal abuses, that it put him upon seeking out for a remedy; and, as a preparative, a letter was sent to pope Innocent IV., wherein are expressed many of those grievances, which the nation complained of. He tells his holiness, that the church of England was so over-awed by foreigners, who stepped into the best preferments by papal provisions, and so loaded with taxes, collected for the benefit of the holy see, that the burden was become insupportable. Then he descends to particulars; that patrons were deprived of their right of presentation; persons presented, who either spent the revenues abroad, or, if they resided, for want of knowing the language and customs of the country, the care of souls was very much neglected; that studies languished, the English youth having no encouragement to qualify themselves for the dignities of the church; founders' wills were neglected, and charities either wasted, or turned out of their proper channel. After these and such like complaints, he beseecheth his holiness, to give out orders to his officers to be more moderate in their fees, and let the ancient patrons of churches enjoy their right of presentation, and to desist, for a while at least, from such frequent provisions as of late years had been practised. He concludes with a plain intimation of that authority he

might claim, if he designed to be no longer complaisant to the holy see; putting his holiness in mind, that the high station, he was in, obliged him rather to defend, than invade, the rights and privileges of mankind; and, therefore, if, for the future, the papal orders were not always obeyed, in certain matters, it was the cry of the people, and the prerogative of his crown (which made him absolute in all civil causes), that engaged him to oppose the holy see.[1]

This sharp reprimand, as it was not designed to insult the see of Rome, or deprive it of those privileges, which were, for good reasons, granted by the kings of England, in former times, so it had, at this present, no farther consequence than to make the pope more cautious in the use of them, and the king more jealous of his prerogative. That there were some new regulations, in point of church discipline, whereby the clergy were deprived of part of the power they formerly enjoyed, appears by an order published by the king, in the year 1247, which forbids all ecclesiastics to take any cognizance of civil matters belonging to the laity, excepting in matrimonial causes, and last wills.[2] This and such like regulations only restrained the clergy in matters merely civil. But, by degrees, the king was charged with making notorious encroachments both upon the church, and the civil liberties of the people. For, in a parliament held in 1248, both the bishops and the nobility offered a list of grievances, and desired to have them redressed. Some of the articles were, that he had demanded exorbitant taxes; that he bestowed benefices and extravagant gifts upon foreigners; that he kept bishoprics and abbies an unreasonable time in his hands, purposely to enjoy the

[1] Paris, 489, 550, et seq. [In point of fact, this passage embodies the substance, not only of Henry's letter, which complains merely of the provisions, but also of two others, one from the body of the English nation, presented to the pope at the council of Lyons, in 1245 (see Appendix, No. I), the other drawn up in the following year, and containing the united complaints of the king, the nobles, and the prelates. See Paris, 550, 585, 611, 612; and Annal. Burton. 306—310.

For a more satisfactory account of these disputes with the papal see, the reader should consult Dr. Lingard, Hist. ii. 304—311.—*T.*]

[2] Paris, 634.

revenues, which was a great detriment to religion. When these matters were first proposed, the king promised that every thing should be amended; but, the next time he met his parliament, instead of complying with their desire, he treated them with a great deal of haughtiness, and told them plainly that he did not sit upon the throne to receive laws, but to give laws. Afterwards, he lay very heavy, both upon the laity and ecclesiastics, in point of taxes; insomuch, that, in the year 1252, the bishops offered to the parliament near fifty articles of grievances.[1] What obliged the king to treat his people with so much severity, was the war he had with Louis IX., king of France, called St. Louis, which was both chargeable and unsuccessful; and, when they made peace, in 1259, it was very inglorious on king Henry's side.[2] The consequence of this was an open rupture between the king and the barons, who, finding themselves still more and more oppressed by him, were resolved to obtain that by force, which they had not been able to gain by entreaty. Wherefore, in the year 1260, an assembly of the nobility meeting at Oxford, the king was obliged to swear to certain articles in favour of the subject. But this agreement being more by compulsion than inclination, on the king's part, he took the first opportunity of acquainting the pope with what had been done; and, at the same time, desired to be freed from the obligation of the oath he had taken at Oxford. The pope, who was, at this time, Alexander IV., having considered the nature of the oath, that it had somewhat of force attending it, and that the concessions were the demands of rebels against their lawful sovereign, immediately declares the oath not to be binding. This way of proceeding hugely provoked the barons, who were resolved either to regain their liberties, or throw away their lives after them.[3] In the meantime, the bishops

[1] Id. 646, 649, 732—734. [2] Id. 845, 846.

[3] [There are several inaccuracies in this passage. 1. It was in 1258, not in 1260, that Henry was compelled to swear that he would observe the provisions of Oxford. 2. Hence the rupture between Henry and the barons was not the

both of England and France laboured very hard to make up the breach; and it was agreed by both parties to have the cause heard before Louis, king of France, who was to be a kind of umpire between them. Accordingly, a great many of the nobility and bishops were ordered to meet at Amiens, in Picardy, where the king and queen of England were also present. In the conclusion, the cause went against the barons, and the Oxford articles were declared void; yet, in favour of the people's liberties, the charter, called Magna Charta, first granted by king John, and since confirmed by the present king, was to remain in its full force. However, this decree at Amiens was far from giving content to the barons, who immediately flew to arms, and, excepting a few that took part with the king, the rest were resolved to venture their lives and fortunes in the cause, being led on by Simon Montfort, earl of Leicester, who, with his son Simon, junior, appeared as bold advocates for the liberties of the people. In the beginning, namely, in the year 1264, the barons were so successful, as to get not only the king, but also his brother Richard, and prince Edward, into their power. Pope Urban IV., being acquainted with these proceedings, orders his legate, cardinal Guido, to pass over into England, and endeavour a reconciliation; but the barons, suspecting that this would turn to their disadvantage, ordered a strict watch to be kept in all the cinque ports, to hinder the legate's landing, who, soon after, called several bishops out of England; and an assembly being held, first at Amiens, and afterwards at Boulogne, all the subjects of England, that had taken up arms against the king, were, by the pope's authority, excommunicated. In the meantime, prince Edward, having made his escape out of prison, appeared at the head of a good army, wherewith he attacked the barons' forces, commanded by the earl

consequence of the unsuccessful termination of the war with France; but arose out of circumstances wholly unconnected with that event. 3. The object of the barons, though nominally to secure the liberties of the people, was, in reality, to overturn the throne, and usurp the whole power and authority of the government. See Lingard, ii. 324—333.—*T.*]

of Leicester, who lost his life in the engagement.[1] Some of our historians give a mighty character of this Simon Montfort, earl of Leicester; especially that writer, who carries on the history of Matthew Paris, who would make us believe, that he was as much in the favour of heaven, as of the people; that he wrought several miracles, which no one durst speak of till after the king's death; in fine, that he engaged in the war against the king, by the advice and persuasion of that learned and religious bishop of Lincoln, Robert Grosseteste, or Greathead. By these particulars, it appears, that our historian was a friend to the patriots of those days, and willing to lay hold of any story that would give a reputation to the cause.[2]

Prince Edward having set his father at liberty, by the late advantage he obtained over the barons, a parliament meets at Westminster, where it was decreed, that the lands belonging to the rebellious barons should be confiscated. Yet this did not entirely put an end to the war; Simon Montfort, junior, still maintained the cause. In the year 1265, pope Clement IV. sends over Ottoboni, cardinal, and legate, who excommunicates all those that were still in arms against the king. Soon after, Simon Montfort, junior, makes his submission, and remits his cause to the determination of the pope's legate and the king of Germany. Afterwards, the barons' interest began to dwindle away very much; yet there was a party that still kept the field, for they could not digest the confiscation of their estates. In the year 1267, the legate Ottoboni calls a synod, which met at Northampton, wherein some of the bishops and inferior clergy, that had adhered to the barons, were excommunicated; but they despised the sentence, appealing to the pope, to a general council, and, as Matthew Paris's continuator reports, if that would not do, they appeal *ad summum judicem.* By degrees, the king brought all his enemies under his feet; and, in the year 1269, prince Edward, having obtained his father's leave, took a reso-

[1] Paris, Cont. 850, 851, 855; Westm. 387, 388; Wikes, 58, 59, 62, 64, 67, 70, 71: Annal. Waverl. 219, 220.

[2] Paris, 855.

lution to go into the holy war; and, to enable him to carry on that enterprise, the dukedom of Aquitaine was pledged to St. Louis, king of France, for a sum of money. King Henry III. died, November 26, 1272, in the fifty-sixth year of his reign, aged sixty-five.[1] He has the character of being a religious prince, insomuch, that Matthew Westminster would have us believe he wrought miracles.[2] However, many passages of his life make it appear, that he had a great regard both for religion and those that practised it. The respect he showed to St. Louis, king of France, and the intimacy that was between them two, shows what sort of company king Henry was most delighted with; for, though they were often at war, yet they never broke in upon the gospel, as to brotherly love. And, though king Louis, by the great advantage he had over king Henry, often obliged him to make several submissions (a thing not very agreeable to persons exalted in power), yet this was so far from exasperating king Henry, that, in any other matter, which did not regard the point in debate, Louis was the great friend and adviser, to whom he applied himself. Walsingham, who gives us an account of king Henry's private life, tells us, that he usually attended at three masses every day, and was accustomed to kiss the priest's hands, out of the great respect he had for the blessed sacrament. The same author reports, that, in a certain conference, these two great kings had, upon the practices of religion, Louis asked the other, why he chose to hear so many masses rather than sermons (the latter being a duty king Louis was much delighted in)? King Henry replied, that he would rather converse with his friend face to face, than only hear of him by another hand.[3] 1272

But to proceed to the works of piety, which showed themselves in this king's reign. The king himself founded a noble hospital, called St. John's, near the east-

[1] Paris, 856, 857, 858, 859, 860; Wikes, 73, 74, 75, 90, 98; Annal. Waverl. 220, 221.

[2] P. 401.

[3] Walsing. 43, ed. Camd.

gate, in the city of Oxford. In his reign, also, were founded Delacres abbey, by Ranulphus, third earl of Chester; the hospital, called St. Mary's Spital, near Bishopsgate, London, by Walter Browne, a citizen, and Rosia, his wife;[1] Hales abbey, in Gloucestershire, by Richard, earl of Cornwall; Newenham abbey, in Devonshire, by Reginald de Mohun, earl of Somerset; St. Giles's hospital, in Norwich, by Walter de Suffield, the bishop of the place, who, at his death, gave all his plate to the poor; Maidstone hospital, by Boniface, archbishop of Canterbury;[2] Glaseney college, in Cornwall, by Walter Bronescomb, bishop of Exeter; a nunnery called Tarent, in Dorsetshire, by Richard Poor, bishop of Durham, who also founded a hospital, near Vaux college, in Salisbury; and Gritham hospital, by Robert Stichill, bishop of Durham, who had a contest with king Henry III., about lands forfeited upon account of rebellion, which, by ancient grants, belonged to the see of Durham. He had a decree in his favour, concerning the lands of Simon Montfort, earl of Leicester, whose estate was confiscated.[3]

In that great contest, which happened in this reign, between the church of England and the see of Rome, concerning papal provisions, and other matters of complaint, I meet with several bishops of remarkable learning and virtue, that opposed the pope; particularly, Richard Wethershed, archbishop of Canterbury, who

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[1] Stowe informs us, that, at the dissolution, it was provided with 180 well furnished beds for the poor.

[2] It was afterwards made a collegiate church, for secular clergy, by William Courtney, archbishop of Canterbury. Tanner, 224.

[3] Dugd. Monast. i. and ii. in locis; Tanner, 71, 107, 116, 224, 605; Godwin, 743. [It was during the present reign, that the two religious orders of St. Francis and St. Dominic were first introduced into England. The former, whose members were distinguished by the appellation of Friars Minors, had been instituted by St. Francis in his native city, Assisium, had been approved by Innocent III, in 1207, and had rapidly spread through Bologna, Florence, Pisa, and other cities of Italy. The latter was generally denominated the order of Friars Preachers. It was originally established by St. Dominic, at Toulouse; and, having successfully opposed the Albigenses, and other heretics, in Languedoc, was confirmed by Honorius III, in 1216. In the next year, a colony of the brethren settled in Canterbury. They were followed, in 1224, by a small body of Franciscans: and the two orders gradually extended themselves to every part of the kingdom. Knighton, 2421; Harpsfield, 452.—*T.*]

expressed himself with a great deal of heat, on the king's admitting such a vast number of Italians into the best benefices.[1] St. Edmund, archbishop of Canterbury, also, equally regarded for his learning and piety, was so zealous in the cause, that it created him a great deal of trouble; so that he was obliged, at length, to retire to the monastery of Pontigny, in France, where he died, in 1240, after a very austere life, and was canonized by pope Innocent IV., in 1246.[2] Another, that appeared for the liberties of the church of England, was Robert Greathead, bishop of Lincoln, who took two journeys to Rome, purposely to make complaints, and subsequently sent a very sharp letter to pope Innocent IV., wherein he taxeth him with oppression; which so excited the pope, that he threatened the bishop with excommunication, which he escaped merely by the advantage of his character.[3] Matthew Paris, who was his contemporary and acquaintance, tells us, that he was one of the best scholars of the age, and that his life was primitive, and an example to future ages. This worthy prelate founded the nunnery of Grimsby, and died in the year 1253.[4] Again, we have, in this reign, Walter de Cantilupe, son of William, lord Cantilupe: he was bishop of Worcester, and strenuously opposed Otho, the pope's legate, who demanded exorbitant sums from the English clergy, and alleged such reasons, that he obliged the legate to

[1] Paris, 312. [Wethershed's zeal was directed, not against the admission of foreigners, but against pluralities, and the secular employments of the clergy. Ibid.—*T.*]

[2] Paris, 476, 486, 626.

[3] Rapin cites the annals of Lanercost (Ang. Sacr. ii. 341), where it is said, that bishop Grosseteste was actually excommunicated: but the contest went no farther than threats. [Even the fact of the threat may be doubted. Paris, indeed, not only asserts it, but, in the speech, which he puts into Grosseteste's mouth, immediately before that prelate's death, appears to intimate that the menace had then been carried into execution. Innocent's letter, however, written in answer to Grosseteste's remonstrance, is still preserved in the Burton Annals (328, et seq.); and from that we know, that, so far from excommunicating the bishop, the pontiff, in fact, acknowledged his own fault, and promised to remedy the abuses which had been denounced.—*T.*]

[4] Paris, 535, 571, 749, 754. [That Grimsby was founded by Grosseteste, is the assertion of Speed (1061): but Tanner has shown that the house in question was in existence before the year 1185. Notit. Monast. 274.—*T.*]

desist.[1] About the same time, one Sewal, archbishop of York, who had been scholar to St. Edmund, archbishop of Canterbury, was so zealous in opposing the pope in the case of provisions, that, at last, he was excommunicated. However, he submitted himself in the main, and, before he died, desired to be absolved; yet, at the same time, he wrote a letter to the pope, whereby he signified what his sentiments were, as to the great oppression the church of England lay under. He died in the year 1258.[2]

Several other remarkable occurrences happened in these days, which are worthy of observation, and a great many persons of note appeared, who ought to be remembered; among whom was St. Richard, bishop of Chichester, an account of whose life may be found in our historians, to whom I remit the reader. However, before I conclude this reign of Henry III., it will be requisite to make mention of the statute of Mortmain, which prescribes some bounds to the zeal our ancestors showed, in alienating their lands for pious uses; for it had been found, by experience, that this custom was liable to several abuses, and, among others, many worthy families had been impoverished by that means.[3] By this statute, which was made the 9th of Henry III., it was enacted, that, for the future, no lands should be settled upon any religious community, without the express license of the chief lord of the fee. Now, as this act put a stop to the multiplying of monasteries, so it made way for the introducing of the mendicant orders, which now began to gain mightily upon the nation. I meet with some writers, who ascribe the origin of the

[1] [In this passage, Dodd, with his eye evidently on Godwin, has, by mistake, confounded two separate transactions. Cantilupe opposed Otho, not on the subject of the papal extortions, but on the reforms, which that legate wished to introduce, in the matter of pluralities. It was to the demands of the legate, Rustand, in 1255, that he was more creditably opposed. Paris, 378, 786.—*T.*]

[2] Paris, 803, 820, 831.

[3] Among other inconveniences in the founding of monasteries, one was, the alienating of parochial tithes towards their support. To redress this and other abuses, a national council was held, by the legate Ottoboni, in 1268, the twenty-second canon whereof forbids, for the future, all such alienations.—Const. Ottobon. apud Lindewood, Tit. 22.

statute to an attempt, which either the mendicants, or their admirers, made, that they might become masters of property :[1] for the wisdom of the nation considering what a vast tract of land was already in the hands of churchmen, they apprehended, that the engaging behaviour of the mendicants would still add to the inconvenience. This put the legislature upon making the restrictions specified in the statute of mortmain. Such a restraint had formerly been put by the imperial laws, under the emperor Theodosius, which are not approved of by St. Jerome and St. Ambrose, as being contrary to the best purposes of life, and to that liberty, which Constantine the Great had granted to all the faithful.[2] Neither was the see of Rome well pleased with the method. However, a great many, who were esteemed both wise and religious, looked upon it as a prudent provision; and, if I mistake not the matter, most nations, at this day, take the same caution to secure the civil interest, and guard themselves against the evils that may attend frequent and improper alienations. The statutes of mortmain, however, were not completed till the year 1391, the fifteenth of Richard II.[3]

Edward I., son to king Henry III., being returned from the holy war, was crowned king of England. His first care was to discharge a great number of officers of state, who had notoriously abused their power in the late reign, and against whom a general complaint had been made by the people, upon the 1274

[1] Antiq. Britan. in Winchelsey.

[2] S. Jerom, epist. ad Nepotianum; St. Ambrose, epist. 31. [Dodd, by trusting, I suspect, to the fidelity of some careless or dishonest citation, has here been singularly unjust to the opinions of these saints. Their sentiments, in fact, are the opposite of his description. St. Jerome says expressly, "*Nec de lege conqueror*, sed doleo cur meruerimus hanc legem. *Cauterium bonum est:* sed quo mihi vulnus, ut indigeam cauterio? Provida, severaque legis cautio, et tamen nec sic refrenatur avaritia" (Epist. 2, ad Nepot.). St. Ambrose is not less explicit: "Nobis etiam privatæ successionis emolumenta recentibus legibus denegantur, et nemo conqueritur. *Non enim putamus injuriam*, quia dispendium non dolemus. . . . . Soli ex omnibus clerico commune jus clauditur . . . . : nulla legata vel gravium viduarum, nulla donatio. . . . . Quod ego, non ut querar, sed ut sciant *quid non querar*, comprehendi. Sola sublata sunt prædia, quia non religiose utebantur iis, quæ religionis jure defenderent."—Epist. 31, p. 119, ed. 1555.—*T.*]

[3] See Appendix, No. II.

king's accession to the crown. In the year 1291, a full parliament was held in Northumberland, where all the bishops and nobility were assembled; and all the treaties between England and Scotland being laid before them, it was decided, that the Scottish nation had constantly paid homage to England. Upon which it was resolved, that the usual submission should be demanded; and, in case of refusal, king Edward would force them to a compliance. This demand happened at a time, when the princes of Scotland were disputing about the succession; and, till that point was determined, they complied so far as to make a provisional submission, which was, in the following year, confirmed, and agreed to, by John Baliol, when he obtained the crown.[1] Afterwards, the Scots having made a league with France, they refused to pay homage; and a terrible war ensued, in which the Scots were reduced to the last extremity; king John, and many of the bishops and nobility, were taken prisoners, and all the strong places in Scotland garrisoned by the English.[2] Meantime, the Scots, to rescue themselves from this oppression, applied to pope Boniface VIII., and gained him entirely to favour their cause. The pope demands, that all the bishops, abbots, and nobility, that were prisoners, should be released, and the English governors and officers be called home out of Scotland. Moreover, if king Edward had any pretensions of superiority over Scotland, he was to produce the instruments of his claim, and send agents to Rome, where the cause between the two nations should be heard, and decided, without spilling any more blood. King Edward, indeed, condescended so far, as to send his letters, and the grounds of his claim, to Rome: but, at the same time, signified, that it was only a piece of complaisance, and an extrajudicial enquiry; for he was willing his holiness should be fully satisfied concerning the justice of his pretensions; though otherwise, he

[1] Rymer, ii. 573, 590—595. [There can be no doubt, however, that the acknowledgment of Edward's feudal superiority was absolute, not "provisional." Wals. 55, 56; Westm. 415, 416.—*T.*]

[2] Walsing. 64—68.

said, he owned no submission to the see of Rome, in any affair of that kind. These letters of king Edward were seconded by a common letter, from all the nobility of England, wherein they assert the rights of the crown of England, in the strongest, but very mannerly, terms, no ways derogatory to the pope's spiritual authority. They tell him, that the kings of England never were, nor ever will be, subject to any power on earth, either spiritual or temporal, in matters purely civil; and, particularly concerning Scotland, as their master claimed homage from that kingdom, so he would neither send agents to Rome, nor admit of any from thence, for the decision of that controversy. But, as for any other instance of their obedience, they acknowledged themselves entirely devoted to the see of Rome.[1] Afterwards, the king vigorously pursued the war with Scotland, and, in the year 1304, had brought them totally under subjection. But Robert Bruce being placed upon the throne, the controversy was revived, and the war rekindled; during which contest, king Edward died,

[1] Walsing. 80—85; West. 437—444. Nec ullis temporibus ipsum regnum in temporalibus pertinuit, vel pertinet, quovis jure, ad ecclesiam vestram supradictam. Quinimò idem regnum Scotiæ progenitoribus dicti regis nostri, regibus Angliæ, atque sibi, feodale extitit ab antiquo;.....neque reges Angliæ, super juribus suis in regno prædicto, aut aliis suis temporalibus, coram aliquo judice ecclesiastico vel sæculari, ex præeminentiâ statûs suæ regiæ dignitatis et consuetudinis, cunctis temporibus irrefragabiliter observatæ, responderunt, aut respondere debebant. Unde communis, concors, et unanimis omnium nostrûm et singulorum consensus fuit, est, et erit inconcussè, Deo propitio, in futurum, quòd præfatus dominus noster rex super juribus regni Scotiæ, aut aliis suis temporalibus, nullatenus respondeat judicialiter coràm vobis, nec judicium subeat quoquo modo, aut jura sua prædicta in dubium quæstionis deducat, nec ad præsentiam vestram procuratores aut nuncios ad hoc mittat; præcipue cum præmissa cederent manifestè in exhœredationem juris coronæ regni Angliæ, et regiæ dignitatis, ac subversionem statûs ejusdem regni notoriam, necnon in præjudicium libertatis, consuetudinum, et legum paternarum, ad quarum observationem et defensionem, ex debito præstiti juramenti, astringimur; et quæ manu tenebimus, toto posse, totisque viribus, cum Dei auxilio, defendemus. Nec etiam permittimus, aut aliqualiter permittemus, sicut non possumus nec debemus, præmissa tam insolita, indebita, præjudicialia, et aliàs inaudita, prælibatum dominum nostrum regem, etiamsi vellet, facere, seu modo quolibet attemptare. Wals. 85.

[It is only right, however, to add, that the pope asserted no claim to superiority, which was not equally acknowledged and asserted by the Scottish government itself. "Regnum Scotiæ præcipuum et peculiare allodium ecclesiæ Romanæ.....in temporalibus immediatè subditum ecclesiæ Romanæ,"—are the words of the Scottish agents at Rome. See Fordun, xi. 51, 53, 54, 56, 57, 63.—*T.*]

July 7, 1307, aged sixty-eight, and in the 35th year of his reign. He gave tokens of his martial spirit to the last; for, calling his son Edward to him, to receive his last instructions, among other things, he charged him not to make peace with the Scots, till he had made them submit; and, at the same time, ordered him to enclose his bones in a chest, which he should carry along with him through all parts of Scotland, for victory would certainly attend him where they were present. King Edward had made a vow once more to engage in the holy war; but the wars with Scotland hindering the execution of that design, he ordered his heart to be sent into Palestine, with the sum of £32,000 towards the maintenance of one hundred and forty knights.[1]

Notwithstanding the discouragement that was given to pious foundations, by the statutes of mortmain, there was still room left to carry on such works, under the countenance of the law. Hence, the king himself bestowed several parcels of land upon the abbey of Westminster; Bockland abbey was founded by Amicia, countess of Devonshire, in 1278; and, about 1280, an abbey and college in Oxford, for the members of the Cistercian order, was erected by Edmund, earl of Cornwall. In this reign also were founded several schools in Cambridge, for the Carmelites, or white-friars, for the canons of Sempringham, and for the friars-penitents of the sack; St. Peter's college, now called Peter-house, in the same town, by Hugh, bishop of Ely; a convent of white-friars, at Maldon, by Richard Gravesend, bishop of London, who died in 1303; Merton college, in Oxford, by Walter de Merton, bishop of Rochester, who died 1277; two colleges, one at Abergwily, the other at Llandewybrevy, by Thomas Beck, bishop of St. David's; and Auckland church, for a dean and canons, by Anthony Beck, bishop of Durham, who endowed it with lands, forfeited upon account of treason. The said bishop of Durham was also the founder of Alvingham priory, in Lincolnshire.[2] Among other religious foundations, the noble crosses,

[1] Walsing. 93, 94; Trivet, 347.

[2] Tanner, in locis.

erected by king Edward, in memory of his queen Eleanor, are not to be forgotten. She had been his constant companion, as well in the wars abroad, as at home, and was with him in the Holy Land. She died at Herdeby, in Lincolnshire, from whence her corpse was conveyed to Westminster, and crosses erected at several remarkable places on the road, viz., at Lincoln, Grantham, Stamford, Geddington, Northampton, Stonystratford, Dunstable, St. Alban's, Waltham, and the village of Charing, on the spot now known as Charing-cross.[1] This reign was honoured with Roger Bacon, the ingenious grey-friar, who died 1292. To him we may join Ralph Baldock, bishop of London, whom John Bale makes the author of a chronicle in Latin; and Robert Kilwardby, a black-friar, who was archbishop of Canterbury, and erected and countenanced several houses of the mendicant orders;—one of black-friars, at Salisbury, and another of grey-friars, in London. He was a learned man; wrote several books; and, resigning his see, was called to Rome, and made a cardinal. His successor was John Peckham, a grey-friar, who very much promoted all the mendicant orders.[2] And, about the same time, lived St. Thomas Cantilupe, bishop of Hereford, of noble extraction, but much more valuable for his virtue and learning. His tomb is yet to be seen, in the cathedral church of Hereford; and, as Godwin reports, the bishops of that see have ever since bore his arms, in honour of so worthy a person. Another pious bishop also appeared in this king's reign, viz., Robert Winchelsey, archbishop of Canterbury, who strenuously opposed king Edward, when he seized the revenues of the church, not only of the alien priories, but of some that belonged to Canterbury, and others. This at length was the occasion of his banishment. However, he was recalled again by king Edward II., and all his losses made good. Godwin gives a great character of him; that he was a stout pre-

[1] These crosses were erected "ut à transeuntibus pro ejus animâ deprecaretur." Walsing. 55.

[2] Tanner, 609; Collect. Anglo-Minorit. i. 104 — 116; ii. 38; Godwin, in vit. Baldock, 184.

late, and a zealous reprover of vice; that he opposed himself against Piers Gaveston and Spencer, two great libertines, who seduced king Edward II., and corrupted the court by their scandalous lives. He constantly every week allowed bread to 4000 poor persons, and, in times of scarcity, his charity was more extensive.[1]

1307 Edward II., son of Edward I., came to the crown in the year 1307. From the very beginning, he seemed but little inclinable to make the laws of the nation his rule; for, immediately after his father's will was opened, finding some things in it that did not please him, he not only hindered Walter Langton from executing it, but sent that worthy person to prison, though he was both bishop of Litchfield and lord treasurer, and had been appointed executor to Edward I.'s last will and testament. Afterwards, the king behaved himself in such a manner, that the nobility suspected that he would become more arbitrary than what the laws of the land would permit; wherefore, a parliament being assembled, in 1311, they obliged him to swear to maintain the liberties of the people, as expressed in Magna Charta, accordingly as his predecessors had done; and, at the same time, they insisted upon having Piers Gaveston sent into banishment. This Gaveston was the king's great favourite, who had not only corrupted him as to his morals, but had put him upon several methods, that were both destructive to the government, and private property. Gaveston, indeed, was banished, but quickly recalled again, and invested with greater power than ever he had before. Soon after, the nobility enter into a combination, and fly to arms, and Gaveston, being taken prisoner, was beheaded, nor was it in the king's power to save his life. Mean-

[1] Godwin, in vit. Cantil. et Winchels. 100—103, 486—488. [With the statutes of mortmain the reader is already acquainted. Some other laws, enacted during this reign, either for the protection of the church, or for the repression of abuses, will be found in the Appendix, No. III. It is only necessary to premise, in reference to part of their provisions, that the jealousy, already mentioned, between the civil and spiritual judicatures, was still existing; that the former, by means of prohibitions, was in the constant habit of staying proceedings before the latter; and that, by this means, the ordinaries were gradually deprived of almost all their jurisdiction. It was to remedy this grievance, that some of the subjoined statutes were drawn up.—*T.*]

time, the pope's legate interposeth, to make peace between the king and the nobility. But this mediation was not regarded by the nobility: for either they suspected the see of Rome of partiality, or, what they chiefly insisted upon, no foreign power should concern itself with their quarrels about the meaning of their laws, especially since they had many learned bishops at home, capable to give them advice.[1] And, indeed, pope Boniface VIII. still supporting the Scots, in the controversy about homage, this might make the English nobility more jealous of such a mediator. At last, the English bishops made up the breach, in the year 1313, and there was a pretty good understanding between king Edward and his nobility, till 1321, when another war broke out, chiefly upon account of the two Spencers, father and son, whom the king relied entirely upon, in all affairs both public and private.[2] While these divisions were carrying on in England, Charles IV., king of France, attacks king Edward's dominions abroad. The pope useth his endeavours to make peace between them, but to no effect; upon which, Isabel, queen of England, and sister to the king of France, goes over, in quality of a mediatrix, taking her son, prince Edward, along with her. They made up matters with the king of France, and remained abroad a whole year. During which time, king Edward was informed, that his queen and son had fomented a party against him; upon which, he caused them to be declared traitors, and several, who were supposed to be their adherents in England, were sent into banishment. The queen, on the other hand, was not unmindful of her own interest: she had lately promised her son in marriage to Philippa, daughter of the earl of Henault, who encouraged her to seek for proper satisfaction from her husband. Wherefore, returning into England, she joined with the discontented nobility. Several

[1] Walsing. 95, 97, 98, 100, 101, 102. Se in regno multos habere probos et literatos episcopos, quorum consiliis uti volebant, et non extraneorum, quibus non esset cognita causa commotionis suæ; præcisèque dixerunt, se nullo modo permissuros, ut aliquis alienigena, vel forensis, intromitteret de factis suis, aut quibuscumque negotiis eos tangentibus infra regnum.—Id. 102.

[2] Rot. Parl. iii. 361—365; Walsing. 103, 113, 114.

of the bishops also went over to the party. They had raised a considerable army, in a very little time. Several strong places were delivered up to the queen, and some were forced to surrender; among others, she possessed herself of Bristol castle; and Hugh Spencer, senior, being taken prisoner, to appease the rage of the people, was immediately exalted upon a gibbet. This brought king Edward to the lowest ebb of fortune, so that he was obliged to skulk about, with a few of his friends; nor could he be persuaded to make his appearance, and come to a conference, though the queen and her army frequently invited him, with a promise, that he should enjoy his crown in quiet, provided he would banish those evil advisers from the court, who had occasioned so much mischief to the nation. Afterwards, an assembly of the nobility met at Hereford, where they declared prince Edward guardian of the kingdom, and swore allegiance to him. King Edward being soon after seized in Wales, together with Hugh Spencer, junior, and some others, the king's favourites, Spencer was beheaded, and several others put to death. In the year 1327, the queen and prince made a public entrance into London, where they were received with great joy and acclamation; and an assembly of the nobility being called, it was declared that the king was unfit to reign, that he ought to be deposed, and his son placed upon the throne. Meantime, the queen seemed displeased that her husband should be deposed, and the prince was resolved not to accept of the crown without his father's consent; upon which, representatives were sent to the king, from the several orders of the nobility and commons, who declared to him, that the nation were unanimous in his son's election, and that it was resolved he should abdicate. The king, not being able to oppose these proceedings, agrees to what they had done, and resigns the crown to his son prince Edward. As for king Edward II., he was still kept prisoner in Berkeley castle; and several of his party having endeavoured to release him, was the occasion of his unfortunate death,

which was effected by having a red-hot spit run up his fundament. It is thought this could not be done 1327
without the privacy of the two noblemen, who had charge of him; but as for the queen and the young king, Walsingham, Knighton, and other historians, are willing to excuse them. King Edward II. was forty-three years of age, at his death, and had reigned nineteen years. His son, Edward III., was only fourteen years old, when he began to reign.[1]

The reign of king Edward II. being under continual disturbances, from the nobility that opposed his ministry, it affords us very little concerning the advancement of religion. The king gave the palace of Beaumont, in Oxford, for the use of members of the order of white-friars. Hervy de Stanton founded the college called Michael House, in Cambridge, afterwards incorporated in Trinity-college. Walter Stapleton, bishop of Exeter, founded Hart-hall, in Oxford, as also Stapleton's-inn, now called Exeter-college, refounded by sir William Petre, in queen Elizabeth's reign.[2] Walter Stapleton was one of those prelates that stuck close to king Edward II., in all his troubles, upon which account, he was beheaded by the rebels. Historians give him an excellent character, for his noble birth, wisdom, learning, and piety.[3] There happened, in this reign, some disputes between the clergy and laity, concerning jurisdiction. The clergy complained, that, of late, since papal provisions were not so frequent as formerly, and that the legates from Rome were under a greater restraint, the king and the civil magistracy had taken that opportunity, to encroach upon ecclesiastical jurisdiction, and had drawn the clergy out of their own courts, and made them too much subject to civil inspection. Wherefore, an assembly of both parties was held at Lincoln, the ninth of this reign, and a statute was made, specifying the cases in which the king's provisos were to take place, and other matters adjusted, concerning tythes, excom-

[1] Walsing. 120—123, 125, 126, 127; Knight. 2543—2550, 2551; Moor, 598—601, 603.

[2] Tanner, 51, 431, 436.

[3] Walsing. 124; Godwin, in vit. 408.

munications, &c. The articles were sixteen, and were to serve as a barrier between the two powers.[1]

1312 The suppression of the famous religious order, called Knights-templars, happening in this reign, it will not be improper to add a word or two concerning them. It appears to have been the unanimous opinion of the judges, that, upon the dissolution of this order, its lands might, by law, revert to the king, or the original proprietors, by way of escheat. But the members of the legislature were desirous to act "for the health of their own souls, and discharge of their consciences:" the lands in question were bestowed on the knights of St. John of Jerusalem, called "Hospitallers;" and a statute was made to this purpose. The particular reasons, alleged for not alienating these lands from the church, were, because such a conveyance would not discharge the obligations which lay upon those lands, which were, to defend Christianity, largely provide for the poor, and pray for the souls departed. Had king Henry VIII., upon the general dissolution of monasteries, attended to this statute, or the reasons which induced the legislature to make it (and which still were agreeable to his principles), it might have thrown a scruple into his head. But this is a fruitless expostulation. A power without appeal is not solicitous about precedents; and those, that have power, may easily invent reasons, to put a gloss upon their actions. If you put them to a non-plus, in the way of argument, they will prove above your match some other way.[2]

Authors are divided as to the merits of the cause, and whether the Templars were so criminal as they are reported to have been. Those that plead against them allege, that the pope and general council of Vienna would never have consented to their dissolution, unless upon a sufficient conviction; that Philip IV., king of France, otherwise a good prince, could not have been provoked by some disrespectful words, uttered by persons of that order, to prosecute them in the manner he

[1] See Appendix, No. IV.

[2] See Appendix, No. V.

did; that, though many of them denied the crimes they were charged with, even at the place of execution, there are instances of such a behaviour in persons who were manifestly guilty. Again, some historians affirm, that they did own their crimes. Lastly, that the writers, that speak favourably of them, were either schismatics, or enemies to France. On the other hand, those, that plead for them, allege, that a private resentment of the king of France was the origin of their prosecution; that it is impossible their scandalous behaviour should have been concealed so long, and that, among so many thousands, there should not be found some good men to impeach the rest. Again, their accusers were profligate wretches, abandoned to wickedness, both before and after; many religious persons looked upon the templars as martyrs; they showed resolution under insupportable torments; those that were tried before the pope's commissioners, in Spain, Germany, and England, were all acquitted; that the king of France seized their lands, and would not yield to have them given to the knights-hospitallers, without an immense sum, by way of equivalent, which was a token of his avarice in the prosecution; that when the Great Master suffered, March 11, 1314, he summoned king Philip and the pope to God's judgment-seat; and that, accordingly, the pope died April 20, and the king November 29, the same year. Lastly, many of the crimes they are charged with are so abominable and ridiculous, and so incredible of themselves, that no christian, or man of sense, can be judged capable of committing such facts. As to England, the chief commissioner, appointed by the pope to hear their cause, was William Greenfield, archbishop of York, who, though he could not but pronounce sentence against them, as to the dissolution of the order, yet they were all acquitted of the crimes alleged against them; so that he took care of all, in his diocese; either placing them in monasteries, or supplying them with constant relief.[1]

[1] For the proceedings against the English knights, see Wilkins, Concil. ii. 329—400.

1327 Edward III., being very young when he came to the crown, met with those difficulties, which are customary in all reigns, during a prince's minority, and, by one way or other, affairs were so ill managed, that he was obliged to make a very disadvantageous peace with the Scots, and part with that ancient claim of homage, which that nation usually paid to the kings of England. Now, though this peace between the two nations was confirmed by king David's marrying king Edward's sister, yet it continued not very long; for, in the year 1333, a war began, in which, the English being successful, the Scots were obliged to submit to terms.[1] In the year 1336, king Edward III. put up his claim to the whole kingdom of France, in opposition to the pretensions of Philip of Valois, and quartered the arms of France with those of England. Upon this, a war ensued, which proving to be very chargeable, the king found himself obliged to demand aid from his subjects; heavy taxes were imposed upon the whole kingdom; but especially the clergy thought themselves unreasonably dealt with. John Stratford was then archbishop of Canterbury, who, appearing in behalf of the church, made frequent remonstrances against the tax, alleging, that it was a manifest infringement of the statutes of Magna Charta; and he went so far in the opposition, as to pronounce ecclesiastical censures against those, that were concerned in oppressing the clergy. This behaviour of the archbishop hugely provoked the king, and brought a great deal of trouble upon the archbishop.[2]

Besides this quarrel the king had with the clergy at home, he had, not long after, a great contest with the see of Rome, which still insisted upon the claim of filling up certain vacancies in the church of England; and, though several remonstrances had been made, in former reigns, against that custom, which had made the see of Rome relax a little in its pretensions, yet, in the year 1343, Clement VI., by means of a papal provision, nominated two cardinals to the next vacant benefices,

[1] Rymer, iv. 337; Knight. 2552, 2553, 2563, 2564.
[2] Walsing. 136—143, 146, 147, 150—157; Ang. Sac. i. 21—38.

not bishoprics, or abbacies, which should be of the yearly value of two thousand marks. This attempt so exasperated both the king and the greatest part of the nation, that the cardinals' agents were admonished to leave the kingdom, or otherwise they should be imprisoned. Afterwards, the king, by the desire of parliament, sends a letter, by way of remonstrance, to his holiness, wherein he takes notice of, and repeats, the inconveniences and injustice of the pope's pretensions, in disposing of ecclesiastical dignities and benefices, to foreigners especially; that it was a custom pernicious to the church; that strangers were, not without grounds, suspected to be enemies to the government; that they were not acquainted with the language of the country; that they did not reside, which occasioned a neglect of discipline; and that their eyes were only upon the revenues, which were spent abroad; that many other great inconveniences flowed from hence, as dilapidations, neglect of hospitality, and of charity to the poor; in fine, that the king, the nobility, and others, were deprived of their right of patronage, to which they were entitled, by original deeds of foundations. Farther, the king takes the liberty to put his holiness in mind, that papal provisions, in the manner they were claimed, were contrary to the ancient laws and customs of England, whereby it was ordered, that bishops, abbots, &c. should obtain their dignities by election of chapters, and that both the popes and the kings of England had frequently confirmed and agreed to that practice. In answer to this remonstrating letter, the pope urgeth custom against custom, adding, that the honour of God, the benefit of religion, and the welfare of the state, were interested in providing a sufficient maintenance for the cardinals of the Roman church. Then he proceeds, and demands satisfaction for the insult that was offered to the two cardinals, in the persons of the officers that acted under them.[1] In conclusion, the king was resolved to put an end to this long and tedious controversy, which had

[1] Rot. Parl. ii. 144, 145; Walsing. 161—163.

given great disturbance to the church of England, for several reigns: wherefore, an act of parliament passed, in the year 1351, whereby all provisions to ecclesiastical benefices, from the see of Rome, were, for the future, prohibited with severe penalties.[1] Yet this statute was

[1] See Appendix, No. VI. [To understand the progress of this contest, it is necessary to revert, for a moment, to the last year of Edward I. By the father of that monarch, some resistance had been made to the encroachments and exactions of the Roman see: but the evils, which Henry had only partially checked, soon reappeared, under the reign of his successor; and, in the year 1306, a petition, embodying the principal heads of abuse, was drawn up by the lords and commons, and presented to the king at Carlisle. It was now discovered, that, besides provisions to vacant benefices, there were other no less grievous causes of complaint. The revenues of religious houses were claimed by the pope, for the maintenance of his cardinals: the first-fruits of all vacant benefices were demanded and seized: the grant of *Peter-pence*, hitherto fixed at a certain sum, was sought to be enlarged: the goods of persons dying intestate, and of others whose wills bequeathed property only for general purposes of charity, were taken and appropriated: and a variety of dishonest expedients was adopted, for supplying the wants of the pontiff, for enriching his dependants, or gratifying the cupidity of his procurators. Edward expressed his willingness to join in repressing these abuses; and a unanimous resolution was entered on the rolls, that the existence of such "grievances, oppressions, and extortions," should no longer be tolerated within the realm. Testa, the papal agent, was then called in, and admonished. He was forbidden to act in contravention of the expressed determination of the legislature: he was commanded to revoke whatever process he had already taken, in opposition to it; and he was strictly enjoined to retain the monies which he had levied, until the king should provide for their disposal. To complete the business, writs were addressed to the sheriffs of the different counties, ordering them to arrest all persons employed by him as agents or collectors, and to produce them, on a certain day, to answer whatever complaints might be urged against them. (Rot. Parl. i. 219—223.)

With the proceedings, instituted in consequence of this measure, we are unacquainted. Edward, however, died in the following July; and, for the next thirty-six years, the legislature appears to have looked in silence, if not with indifference, on the still-encreasing exactions of the Roman see. At length, the "provision" in favour of the two cardinals, mentioned in the text, roused the spirit of the nation. The commons addressed the king in a short but energetic appeal: they denounced the system of "provisions" as a grievance, which, in future, they neither could nor would endure; and they requested the monarch forthwith to write to the pontiff, under the great seal, and acquaint him with the determination of the country. The two houses then proceeded to legislate on the subject. The act of Edward I. was read, and an additional statute was passed, forbidding any person, under pain of forfeiture, to bring or receive bulls, reservations, or other letters, or to accept or execute provisions, contrary to the rights of the king, and the liberties and welfare of the people; directing all such instruments, and all persons bringing such instruments into the country, to be seized, wherever found; and commanding all clerks and others, who, by virtue of such letters, should presume to bring actions against either the patrons of benefices, or their presentees, to be arrested as offenders, and submitted to the judgment of the king's council (Rot. Parl. ii. 144, 145). In the following year (1344), this statute was confirmed, and the penalty of outlawry, perpetual imprisonment, or abjuration of the realm, was adjudged against all persons who

not so strictly put in execution, but that the pope was frequently complimented with the privilege of nominating his friends to several ecclesiastical dignities, even till the days of king Henry VIII. Neither did this contest, between king Edward III. and the see of Rome, hinder his majesty from showing all respect that was otherwise due to his holiness; particularly, when he

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should violate its provisions, as well as against any provisor, procurator, executor, or other, who should venture to appeal to Rome, from the decisions of the king's courts (ibid. ii. 153). Yet, even this was insufficient to arrest the progress of the evil. In 1351, the complaints of the people called for a new enactment, and the statute, mentioned in the text, was accordingly drawn up and passed. It was followed, two years later, by the additional provisions of another act (see Appendix, No. VII): these were succeeded by fresh complaints, which were answered by fresh laws (stat. 38 Ed. 3. st. 3); nor was it until the year 1376, that a treaty between Edward and the pope put a temporary close to the dispute. It was then agreed, that the pontiff should abandon his claim to first-fruits, should revoke all provisions, which had not actually taken effect, and should empower the bishops to reserve, out of the revenues of all cardinals, holding benefices in England, a sufficient sum, to provide for the repairs and maintenance of the church. (Rymer, vii. 83—88; Walsing. 188.)

"In the obstinacy," says Dr. Lingard, "with which the court of Rome urged the exercise of these obnoxious claims, it is difficult to discover any traces of that political wisdom, for which it has been celebrated. Its conduct tended to loosen the ties which bound the people to the head of their church, to nourish a spirit of opposition to his authority, and to create a willingness to listen to the declamations, and adopt the opinions, of religious innovators. To disputes respecting the questionable limits of the spiritual and temporal jurisdictions, succeeded a more important controversy on points of doctrine: and, before the close of Edward's reign, a new teacher (Wycliffe) appeared, who boldly rejected many of the tenets, which his countrymen had hitherto revered as sacred; whose disciples, for more than a century, maintained a doubtful contest with the civil and ecclesiastical authorities; and whose principles, though apparently eradicated, continued to vegetate in secret, till the important era of the reformation." (Hist. iii. 157, 158.)—The reader, who shall be disposed to wonder at the facility, with which the religion of the country was ultimately overturned, will do well to bear this in recollection.

I cannot close this note, without remarking on a passage in Mr. Butler's *Memoirs of English Catholics*, wherein he tells us, that there is "some reason for supposing that the papal provisions were rather a general benefit, than a general grievance, to the nation." His reason for this assertion is, that, from the period of the conquest to the reign of the third Edward, all the higher dignities of the church were conferred exclusively upon Normans, and that, as these spoke no language common to the bulk of the nation, "the Norman was as much a stranger as an Italian;" whilst the latter, both from his conciliating manners, and from the circumstance of his mission from the sovereign pontiff, would necessarily prove more acceptable, than any "member of the oppressing caste." (vol. i. pp. 37, 38). In answer to this reasoning, it is sufficient to observe, that, in most instances, the foreign beneficiaries, of whom he speaks, *resided abroad*, and that, of course, therefore, the nation was deprived of any advantage, which might have arisen from their presence, as members of a body less odious to the people than their conquerors.—*T.*]

entered into a war with France, upon account of a claim he had to the whole kingdom, he thought it proper to send ambassadors to Rome, to acquaint his holiness with all the particulars of his pretensions, and to consult him upon the affair, not as a judge, but as a common father, and friend to both parties. This war with France continued during the reigns of Philip of Valois, and John king of France, and king Edward was always successful. Fortune also favoured him in the wars he had with the Scots; for, in the year 1356, Edward Baliol, king of Scotland, not only paid homage to king Edward, but, in a very solemn manner, transferred the supreme dominion upon him. In the year 1370, the war was renewed with France, wherein king Edward was not so successful as formerly. His adversary was Charles V., a prince of singular parts, who made himself considerable both in the field and the cabinet, and drove king Edward out of the greatest part of Aquitaine. What contributed to make him unfortunate, towards the latter end of his reign, was, the infirmity of age, and the passion he had for women. To remedy the first incapacity, he committed the whole management of affairs to the duke of Lancaster, by whom a parliament was summoned, in 1377, and the greatest tax laid upon the people, both clergy and laity, that England ever experienced. This made his subjects very uneasy. Then, as to the passion he had for the female sex, he was so carried away by Alicia Perrers, one of his mistresses, that she was either introduced, or forced herself, into all assemblies where state affairs were transacted; and, even when the king lay upon his death-bed, she would not be denied admittance, nor suffer others to have any private discourse with him; so that he died without receiving the last sacraments, June 21, 1377, having reigned fifty-one years.[1]

The reign of king Edward III. is remarkable for the number of pious foundations, some whereof were owing to the king himself, others to his subjects. Those

[1] Walsing. 145, 171, 184—189, 190, 191, 192.

founded by the king, were, King's Hall, in Cambridge, afterwards refounded by king Henry VIII., and had the name of Trinity College; the collegiate church at Windsor; a monastery of Cistercian monks, near East Smithfield, in the year 1359, called St. Mary of Grace, or Eastminster; St. Stephen's chapel, in Westminster, made collegiate for secular canons, with large endowments; a nunnery at Dartford, in Kent; a hospital for the poor in Calais, called Maison de Dieu, and several others. The colleges, hospitals, and monasteries, founded by his subjects, were, a hospital near Leicester, for 100 infirm persons, by Henry, earl of Lancaster, about 1331; Elsing Spital, or priory, near Cripplegate, in London, formerly a nunnery, now rebuilt, and refounded for regular canons, and a number of poor, by William Elsing, a mercer of the city, who became the first prior; and the Charter-house, near London, for Carthusian monks, by Walter de Manny, in the year 1371. He had formerly been a general in the wars abroad. Upon the dissolution of monasteries, in Henry VIII.'s reign, it was bestowed upon sir Edward North. From him it was purchased by Thomas, duke of Norfolk, whose son, the earl of Suffolk, sold it to Mr. Sutton, who generously converted it into a hospital, with large revenues. There was, moreover, Cobham-college, founded by sir John Cobham; Stratford-college, at Stratford-upon-Avon, by John Stratford, archbishop of Canterbury, being the place of his birth;[1] St. Bartholomew's hospital at Hythe, in Kent, by Haymo Hyth, or Heath, bishop of Rochester; Durham-college, in Oxford, by Thomas Hatfield, bishop of Durham, for scholars of Durham abbey (it is now called Trinity-college, and was refounded by sir Thomas Pope); a convent of white-friars, at Northallerton, in Yorkshire, by the aforesaid Thomas Hatfield, bishop of Durham, who died in 1381; Canterbury-college, in Oxford, by Simon Islip, archbishop of Canterbury, for scholars sent from

[1] Godwin, speaking of this prelate, says, never any one that sat in his see took more pains to please, nor was more undeservedly persecuted. De Præsul. in vit. 107.

the abbey of Canterbury; a monastery of Carthusians, at Avignon, in France, by Simon Langham, archbishop of Canterbury, who was created cardinal in 1368; Edindon monastery, for the religious, called Bonhommes, by William Edindon, bishop of Winchester, who died in 1366; St. Michael's hospital, near Salisbury, by Ralph Erghum, bishop of Salisbury; New-college, in Oxford, by William of Wickham, whose true name was Perot, bishop of Winchester, and who also was the founder of Winchester-college, near the city of Winchester, and died in 1404 (he had a great many enemies to struggle with, and underwent great persecutions, yet ended his days in peace); the college of St. Mary Ottery, by John Grandison, bishop of Exeter; and Trinity-hall, in Cambridge, by William Bateman, bishop of Norwich, who also removed Gonvile-hall, founded by Edmund de Gonevile, in honour of the annunciation of the blessed Virgin Mary, to its present situation, near Trinity-hall. It was afterwards augmented and enlarged by the learned John Caius, a physician, and has since been known as Gonvile and Caius-college.[1]

It is observable, in this reign of Edward III., what may be taken notice of, in that of several other kings. If the see of Rome and the clergy seem, sometimes, to have encroached upon the civil magistracy, the church has often a great deal of reason to make the same complaint. When Edward III. seized the revenues of alien priories, upon account of the war with France, the lawfulness of such a seizure is not very intelligible; as also the forbidding of the payment of Peter-pence, which amounted to three hundred marks a year, was contrary to the laws and customs of all his predecessors; and had he not restored the church to her rights again, in those particulars, the age he lived in would have represented him as an enemy to ecclesiastical liberties. The courtiers, indeed, at this time, were disposed to buzz many things in the king's ear, that were prejudicial to the church; in which they were encouraged by

[1] Tanner, in locis; Godwin, 348; Pennant, 176.

a flattering divine, called John Wycliffe, and the witty satires of Sir Geoffrey Chaucer, who took all occasions to lessen the power of churchmen, and ridicule their character. John Wycliffe was a person of some learning, but of more pride, who, being disappointed of a mitre, took that popular way of ingratiating himself with men of power amongst the laity. He died in the following reign of king Richard II., in the year 1384, and had his bones taken up, and burnt, in the year 1435.[1] As for Sir Geoffrey Chaucer, he was, according

[1] [John de Wycliffe is supposed to have been born about the year 1328, in a village of the same name, not far from Richmond, in Yorkshire. His studies at Oxford were commenced in Queen's-college: thence he afterwards removed to Merton-college; and, in that seminary, soon became distinguished among his contemporaries for the brilliancy of his talents, and the splendour of his various acquirements. But it was about the year 1360, that his name first attracted the attention of his countrymen. To the unwise demands of the popes, mentioned in a preceding note, the conduct and privileges of the religious, and particularly of the mendicant orders, had added another, perhaps less general, but certainly not less serious, cause of complaint. In the infancy of their establishment, the zeal, the piety, and the learning of the friars had won the admiration of the people. But they were exempted from the jurisdiction of the bishops; they were allowed to interfere in the duties of the parochial clergy; and, as the first fervour of the institute abated, these privileges were, in many instances, unscrupulously employed in elevating their own body, and depressing that of the ordinary pastors (compare Paris, 353, 541, 607, 608, with Peter des Vignes, Epist. 37, and the letter of St. Bonaventure, Opusc. ii. 352, Ed. Paris, 1647). It was at the moment when the irritation, caused by these proceedings, was at its height, that Wycliffe stood forth, to lash the degeneracy of the obnoxious orders. The immediate cause of his interference was, in itself, unimportant—a claim, set up by the friars, to graduate at the university, without complying with its statutes: but it served as an introduction to other topics; it enabled him to attack the vices, no less than the immunities, of his opponents; and, accordingly, their indolence, their luxury, their avarice, their rapacious acts and hypocritical pretences, became successively the object of his coarse, and perhaps exaggerated, invectives. Nor were motives of private resentment wanting, to stimulate and increase his hostility, if not against the friars, at least against the other orders of religious. Simon Islip, archbishop of Canterbury, had founded a hall, in Oxford, for a warden, eight secular, and three regular, scholars; and Woodhall, a monk of Christchurch, had been appointed the first warden. In 1365, however, the founder removed both Woodhall and the monks; the wardenship was conferred on Wycliffe; and the places of the religious were filled by three clerks from the respective dioceses of York, Sarum, and Oxford. But Islip died in the following year, and Wycliffe and his fellows were, in turn, ordered to surrender their preferment to the original possessors. Wycliffe, however, appealed to the pope: the case was referred to cardinal Adruinus, who was commissioned by the pontiff for that purpose; and a long and tedious examination into the claims of the contending parties immediately ensued. At the end of more than three years, judgment was given in favour of the monks, and Wycliffe, with his associates, was expelled.—Lewis, 8—15, 235—246.

With the exception of a "determination," asserting the prerogative of the crown against the pretensions of the Roman see, his writings had hitherto been

to the style of those days, esteemed an excellent poet, and, being infected by Wycliffe, could not fail of being

directed solely against the religious orders: but, in 1374, he was placed on the commission, appointed to negociate the treaty, already alluded to (p. 143, note), between Edward and the pontiff; and, soon after his return, we find him including both the pope and the secular clergy in his violent and indiscriminate invectives. The former he styled "Antichrist, the most cursed of clippers and purse-kervers" (Lewis, 34): the latter he denounced as "fulfilling the fiend's cruelty, by suffren christian souls be strangled with wolves of hell, thorough their dumbness and occupying about the world" (ib. 39). He said, that they "made themselves most unable to keep the gospel of Christ, by their great business abouten rotten goods" (ib. 37); that many of them could neither repeat "the ten commandments, ne read the sauter, ne understond a verse of it" (ib. 38); and he concluded that, in these, as in other cases of default or delinquency, it was the duty of the temporal lord to deprive them of their tithes and possessions (ib. 266). It is scarcely surprising, if such doctrine at length awakened the apprehensions of the clergy. To arrest its progress, Wycliffe was summoned, in 1377, to answer for his opinions before Sudbury, the primate, and Courtney, bishop of London. But the reprimand, which he then received, was insufficient to restrain him. Only a few months later, a list of eighteen propositions, selected from his writings, was laid before Gregory XI.: the pontiff commanded him to be arrested and examined; and a second trial was followed by a second reprimand, and an order to be more cautious in his language for the future. (Walsing. 191, 201—208; Lewis, 42—63, 254—267; Harpsfield, 683). That order, however, was not obeyed. In 1381, his opinions, on the subject of the eucharist, attracted the attention, and provoked the censures, of the university of Oxford (Spelman, ii. 627; Lewis, 268). In the following year, other parts of his doctrine were submitted by the archbishop of Canterbury to a synod of divines, specially convened for the purpose; and twenty-four 'conclusions,' maintained by himself or his disciples, were condemned, ten as heretical, fourteen as erroneous and irreconcileable with the received opinions of the church. From this sentence he appealed, first to the protection of the duke of Lancaster, and afterwards to that of the parliament. Lancaster, however, refused to lend his assistance: the parliament contented itself with repealing an informal statute, lately passed against the new teachers; and the king despatched a letter to Oxford, requiring the chancellor to expel Wycliffe, with his followers, from the university, and ordering all books, treatises, and other writings of the late professor, to be forthwith seized and transmitted to the primate. Wycliffe now reluctantly consented to retract his errors. In the presence of the archbishop and six bishops, accompanied by the chancellor, a large body of doctors, and a numerous concourse of spectators, he read a confession of faith, and, retiring to Lutterworth, of which he was the rector, passed the two remaining years of his life in the undisturbed enjoyment of his own opinions. He died of an apoplectic attack, on the 31st of December, 1384.—Lewis, 83—93, 272, 286; Rot. Parl. iii. 124, 125, 141; Harpsf. 685, 686.

Wycliffe has been called the father of the Reformation in this country. That his doctrines laid the foundation of that extraordinary event, there can be little doubt: that his opinions, however, on the most essential points of subsequent controversy, were opposed to those of the later reformers, is equally certain. With them, indeed, he condemned the tenet of transubstantiation: he denounced indulgences, pilgrimages, and the use of holy water: he denied the supremacy of the Roman see, and appealed to the scripture, as the sole and undoubted rule in matters of belief. But here the resemblance terminates. On the subject of the eucharist, he appears to have entertained the notion, afterwards adopted by Luther, and to have maintained the existence of the

acceptable to the libertines of the court. However, this reign did not want persons of singular merit, which has recommended them to posterity. Among these, was Richard Angarvill, bishop of Durham, son of Sir Richard Angarvill; he was commonly called Richard de Bury, from the town where he was born. He was a person universally qualified, a great scholar, able minister, and zealous prelate; he wrote much; had, as it is said, more books than all the other bishops in England; erected a noble library in Oxford, with a salary for five persons to take care of it, and which continued entire, till it was plundered and destroyed by the reformers, in Edward VI.'s reign. He constantly entertained a number of learned men in his family, and kept a correspondence with others abroad, as Francis Petrarch, &c. He had often been employed in public affairs, both at home and abroad. His family was managed with singular exactness; there was constant reading during meal-times; and afterwards, he conferred with his chaplains upon the subject. He was profusely charitable to the poor, and died in the year 1345, leaving behind an example, which few could come up to. Another prelate of note, in those times, was

bread, in conjunction with the reality of Christ's presence, on the altar. He admitted the seven sacraments of the Catholic church: he believed in purgatory, as a place of temporary punishment: he asserted the efficacy of the mass, as a propitiatory sacrifice; and he zealously inculcated the duty of sacramental confession, "with contrition for sins before don, and good life, and keeping God's hests, and works of mercy after" (Apud Lewis, 78, 124, 127, 129, 136, 137, 140). In these doctrines it is impossible to trace the features of the English Reformation: it is equally hopeless to seek them in his recorded opinions on the subject of grace, on dominion or the right to property, on the power of the people to depose a ruler who may have been guilty of mortal sin, or on the criminality of those ministers of religion, who permit themselves to be endowed with temporal possessions. But truth is not essential to the character of a modern apostle, as conformity of belief is not the test of modern orthodoxy. If the opinions of Wycliffe were inadmissible, his example, at least, might entitle him to praise. By his opposition, he had severed himself from the church of Rome; and it is "the humour of some men," says the protestant Heylyn, "to call every separation from that church the gospel: the greater the separation, the more pure the gospel." (Animadvers. on Fuller, 65).

For a more detailed account of Wycliffe's doctrines and opinions, the reader may consult Walsingham, 191, 204—208, 246, 283—286; Knighton, 2647, et seq.; Browne's Fascicul. rer. expetend. i. 190—295; and Lewis, 42—46, 78—81, 89—91, 113—142.—*T.*]

Thomas Bradwardin, archbishop of Canterbury, who, according to the account Godwin gives of him, was a good mathematician, a great philosopher, and so excellent a divine, that he is commonly called *Doctor profundus;* but chiefly to be recommended for his sincerity in conversation, and innocent life. To these we may join Thomas Lylde, a black-friar, bishop of Ely, who being persecuted by the king, at the instigation of a great court lady, who had seized some of his temporals, he appealed to the pope, and those concerned in the injustice were excommunicated, and obliged to make restitution.[1]

1377 Richard II., who next ascended the throne, was grandson to king Edward III., and son of Edward, called the Black Prince. During his minority (for he was only eleven years of age when he was proclaimed king), his uncles took care of the government. John Wycliffe, who showed himself in the late reign, began now to spread his opinions more openly; and being too much countenanced by the duke of Lancaster, one of the king's uncles, who was too apt to give ear to every thing that lessened the authority of churchmen, he, by this means, was screened, and talked on, without fear of being called to an account. In the year 1385, it appeared what influence Wycliffe's doctrine had over several persons of distinction; for a parliament being assembled, and a subsidy agreed upon for the king, in which the clergy were to be put upon the same footing with the laity, William Courtney, archbishop of Canterbury, opposed the method, alleging, that it was contrary to the liberties of the church, and that he would sooner lose his life, than consent to have the clergy charged with taxes, in the manner they proposed.[2] On the other hand, several of the parliament men, who had been educated in Wycliffe's school (who pretended,

[1] Godwin, in vit. Angarv. Bradw. et Lylde, 112, 261, 747.

[2] [The laity were to contribute a fifteenth-and-a-half: the clergy a tenth-and-a-half (Walsing. 320). Courtney, in the first place, objected to the inequality of the assessment; and, in the next, asserted the right of the clergy to tax themselves.—*T.*]

that the revenues of churchmen were mere alms, and that they had no strict right to them), bawled out, that the bishops and clergy ought not only to be included in the general tax, but to be stripped of all their temporals, in order to make them more humble. But, in the conclusion, archbishop Courtney not only baffled these wretched politicians, but gained immortal honour, by making so noble a stand. However, to show that the clergy were willing to come into all measures, that were judged necessary to support the interest of their country, they made a voluntary offering of a very large sum; which so pleased the king, that he vowed he made more account of it, than of four times as much gathered by compulsion.[1]

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[1] Walsing. 320. [It is necessary, in this place, to resume the history of the dispute with Rome, on the subject of "provisions." By the treaty, mentioned in a former note, it had been agreed between Edward III. and Gregory XI., that all reservations, which had not then actually taken effect, should, from that moment, be revoked. The stipulation, of course, implied, that the practice of granting provisions should in future be abandoned: but Gregory died in 1378; and Urban VI., who succeeded him, immediately renewed the obnoxious custom. To one of his cardinals he gave the rich priory of Deerhurst: on another he bestowed the archdeaconry of Bath, with a reservation, in his favour, of the first benefice, worth 2,000 florins a year, which should become vacant in the archdiocese of Canterbury. These, and other similar acts, roused the indignation of the people. The commons, in January, 1380, addressed the king upon the subject: they assured him, that, under the present system, every valuable benefice in the country would be engrossed by foreigners; and they induced him to pass a new statute, declaring, that, if any person, without the express permission of the king and council, should farm, or administer, the benefice of any alien, within the realm, or, by virtue of such farming or administration, should convey money or other goods out of the kingdom, he should, for such transgression, incur the penalties prescribed by the statute of provisors, and be placed out of the king's protection (Rot. Parl. iii. 82, 83. Stat. 3, Ric. 2, cap. 3). Three years later, it was found necessary to extend the operation of this act to foreigners, residing on benefices obtained by provision (Rot. Parl. iii. 163, Stat. 7, Ric. 2, cap. 12). But even this measure was ineffectual. The power of dispensation, conferred by it on the crown, became the fruitful source of collusion between the English and Roman courts; and, in 1390, therefore, another enactment, adapted to the peculiar exigences of the case, was drawn up and passed (See Appendix, No. VIII). In the mean time, Urban had died; Boniface IX. had succeeded to the papal throne; and a fresh attempt was now made to enforce the obnoxious claim. The contest, of course, was renewed with encreased ardour. Richard immediately issued a proclamation, commanding all his subjects, resident in Rome, to return to England before the feast of St. Nicholas; those who enjoyed benefices, on pain of forfeiture; those who were not so provided, on pain of outlawry. In return, the pope published a decree, declaring the proceedings of parliament, in this matter, to have been null and void from the beginning: he called on the king to have the acts rela-

It is here to be remembered, that, in former reigns, there had been many contests between our kings and the see of Rome, concerning the right and custom of nominating persons to ecclesiastical dignities, which were, in a great measure, put an end to by the statute of provisors. There had, in like manner, been frequent controversies concerning the jurisdiction of the pope's legates, the execution whereof had been often com-

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ting to provisors forthwith erased from the statute-book; and, to manifest his own determination, he granted a prebend in the cathedral of Wells to Brancaccio, a cardinal-deacon in the church of SS. Vitus and Modestus (Walsing. 344, 345; Raynald, v. 162). Brancaccio's appointment was referred to the king's courts, and the provision was ordered to be annulled: but the pontiff, so it was said, had threatened to excommunicate, or remove, any bishop who should venture to act upon this judgment; and, in the next parliament, it was deemed necessary to ask the advice of the two houses, as to the course to be pursued in this emergency. The answer of the several estates was unanimous: the proceedings of the pontiff were illegal; his attempt to control the decisions of the royal courts, by intimidating the bishops, was subversive of the rights of the crown; and they would joyfully, therefore, stand by their sovereign, to live and to die, in resisting this encroachment on his authority. The last of the statutes of provisors was now drawn up. After reciting the various abuses, against which it was directed, it proceeded to detail the opinions of the two houses, as already delivered to the king. It asserted the utter independence of the crown, "in all things touching the regality of the same;" it denounced the present attempt, as calculated to place the laws and statutes of the realm at the mercy of the pope; and it concluded by enacting, that, if any persons should purchase or pursue, in the court of Rome or elsewhere, by any translations, processes, or sentences of excommunication, either bulls, instruments, or any other thing, against the king's crown and regality, or against his realm, as aforesaid, or should bring them into the kingdom, or receive, notify, or execute them, either within the realm or without, such persons, their notaries, procurators, maintainers, abettors, fautors, and counsellors, should be put out of the king's protection; their lands and tenements, goods and chattels, should be forfeited to the king; and their persons should be attached, wherever they might be found (see Appendix, No. IX). Unfortunately, the parliament seems to have faltered, in the execution of this statute. Instead of enforcing its provisions, the commons authorized the king to modify them, in such manner as his council should advise; and the popes, apparently encouraged by the vacillating conduct of the English legislature, still persisted in renewing the contest on every opportunity that occurred (see Appendix, No. X). At length, however, the dispute was brought to a termination. Disheartened by repeated defeat, the pontiffs proposed a compromise: the statute, with the advice of the council, was partially qualified; and provisions, except in favour of a few cardinals, and of such natives as should previously have obtained the royal license, were for ever abolished.

Thus closed this unwise and protracted struggle. But its consequences still remained. It is seldom that even victory can obliterate all the exasperating recollections of the past contest; and, in the present instance, it must be acknowledged, that sufficient of the unpopular system of provisions was still retained, to embitter those recollections both in the minds of the clergy, and in those of the nation in general.—*T.*]

plained of, both by our kings, and all the bishops of the church of England, who offered plausible reasons for a redress. For, though they owned that the pope, by the strength of his supremacy, had a power of inspection over the whole church, and, upon this view, might send legates to execute his orders, yet, by erecting courts of judicature, the method was become burdensome and prejudicial, both to the rights of the kings of England, and all the bishops of the realm. Now, several inconveniences were mentioned, which pleaded for a redress in this matter. The king was jealous of his prerogative, while causes of a mixed nature were to be tried in a foreign court: the bishops looked upon their jurisdiction as in a manner precarious, while their orders might be superseded, in any trivial matter, by one of the pope's legates: appeals to Rome were very chargeable, and the innocent might be oppressed, for want of witnesses, who could not make their appearance at so great a distance. I am not ignorant, that several protestant writers lay that stress upon the act against appeals, as if it were a plain discarding of the pope's supremacy: but appeals in doctrinal matters not being touched by that act, it is manifest they draw a wrong inference from it. Legatine courts, and appeals to Rome in point of benefices, patronage, and other matters of discipline, are not allowed in several other kingdoms, which, notwithstanding, are very orthodox, and steady, in maintaining the pope's supremacy in all doctrinal points; and, had not a person, of Henry VIII.'s temper, thought fit to put that and such other laws in execution, as they often had been dispensed with, out of respect to the see of Rome, so that custom might have been continued to after ages.

But to return to the remainder of Richard II.'s story. When he had disgusted the major part of the nation, and provoked them to take arms against him, by degrees he was reduced to such straits, as to be obliged to abdicate. Nor were his subjects satisfied with a bare abdication: they drew up thirty-three articles, upon which he was impeached, in a solemn manner; the

general import whereof was, that he had governed tyrannically, and had violated the oath made to his people. They went upon the proof of these articles, which they obliged him to subscribe, and to make a public declaration of his incapacity for governing. Being thus deprived of his crown, by abdication, as also by a public sentence of the nobility and people, Henry, duke of
1399 Lancaster, his uncle's son, though not the next in blood, was declared king, in the year 1399.[1]

As to the progress of religion, in this reign, we meet with very few pious foundations. There was, however, Sudbury-college, for secular clergy, established by Simon Sudbury, archbishop of Canterbury, whose true name was Theobald. He was born in Sudbury, and erected his own dwelling into a college. This worthy prelate had his head cut off, by the rebel Wat Tyler, in the year 1381. There was also Maidstone-college, refounded for secular clergy, by William Courtney, archbishop of Canterbury; and a college near the cathedral church of St. David's, by John, duke of Lancaster, and Adam Houghton, bishop of St. David's.[2]

Henry IV., having obtained the crown, in the manner he did, could not but meet with many enemies to make his reign very uneasy. In the first place, there were the friends of king Richard, who, though he was dethroned and kept close prisoner, yet were in hopes of setting him at liberty, and were daily contriving ways to effect it. Again, had the deposition of king Richard been legal and uncontested, Roger, earl of March, being next to the crown, by lineal descent, was a sufficient ground for quarrelling with Henry. Neither were these bare apprehensions of danger at a distance; he was attacked from several quarters. In the north,

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[1] Rot. Parl. iii. 416–424. One of the articles against king Richard II. stands thus: "Quamvis corona regni Angliæ, et jura ejusdem coronæ, ipsumque regnum fuerint ab omni tempore retroacto adeo libera, quòd dominus summus pontifex, nec aliquis alius extra regnum ipsum se intromittere debeat de iisdem; tamen præfatus rex, ad roborationem statutorum suorum erroneorum, supplicavit domino papæ, quòd statuta in ultimo parliamento suo ordinata confirmaret." Ibid. 419.

[2] Tanner, 224, 509, 720; Walsing. 250, 251.

Percy, earl of Northumberland, in conjunction with some eminent men of the clergy, opposed his title; the Welsh gave him a disturbance in the west; and, from abroad, he was threatened with a war by the king of France, who obliged him to send back Isabella, wife to king Richard II., and sister of Charles VI., together with her portion, jewels, furniture, &c.[1]

1400 The death of king Richard, which happened in a little time, freed king Henry from some of his enemies. It was spread abroad, that this unfortunate prince, becoming melancholic, refused nourishment, and so starved himself to death; but some tell us, he was privately made away, by express orders of king Henry. But I do not pretend to decide a point, in which our historians are divided. Among those that opposed the king, in the north, were, Richard Scrope, archbishop of York, and Thomas Merks, bishop of Carlisle. Scrope was beheaded in the year 1405; which the pope being informed of, he excommunicated all those that were immediately concerned in his death. It is observed by some, that he was the first bishop, that ever was put to death by a formal trial at law. As for Thomas Merks, bishop of Carlisle, he, from the very beginning, opposed king Henry's title, and asserted hereditary right (against that which was only popular), in a bold speech, which has perpetuated his memory. The freedom he took was the occasion of his imprisonment; but being released, he joined himself to the party that appeared in the field against king Henry. Afterwards, king Richard's friends being dispersed, and many of them taken and executed, this stout prelate, though he was deprived of his see, yet was pardoned, and ended his days in quiet, which many looked upon to be a providential reward of his constancy and fidelity to his old master, Richard II.[2]

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[1] Hardyng, 352; Walsing. 364, 367, 368; Rymer, viii. 142, 152.

[2] Walsing. 363, 373; Hall, 14; Godwin, in vit. Scrope et Merks, 690, 691, 767. [It is necessary to observe, that the insurrection, in which Merks was concerned, was that of the lords appellants, in 1400; but that the affair, in which Scrope was implicated, did not occur until 1405.—*T.*]

The treasury being exhausted, by the great charges king Henry had been at, in bringing those under sub-
Oct. jection that opposed his title, a parliament was
1404. assembled at Coventry, the chief design whereof was, to raise taxes, in order to supply the pressing necessities of the crown. It was upon this occasion, that some of the laity discovered their evil designs against the church, accordingly as they had been seduced by Wycliffe's doctrine, but were baffled and silenced in open court, by Thomas Arundel, archbishop of Canterbury. "The king began to hearken (as Godwin reports the matter) to the sacrilegious motions of certain impious politicians, that, intending to cast the burden of all subsidies, and other kind of tributes, upon the clergy, letted not to say openly, in the parliament-house, how the laity was not able to yield any thing to the king's coffers, for that the clergy had all the wealth of the land in their hands; and, therefore, the king must either take from them their temporalities, or else lay all the burden upon them only, that were able to bear it. The archbishop, that was undoubtedly a worthy prelate, wise, and very stout, rose up, and proved by manifest arguments, that the contributions of the clergy were, after the proportion of their ability, much more liberal than the subsidies, or the payments of the temporalities, in many respects; 'For (saith he) we pay the tenths for livings, oftener than they pay fifteenths; and though we serve not in the wars ourselves, our servants and tenants do; neither are we altogether idle, inasmuch as we pray daily for the king and realm, as well in time of peace as war.' The prolocutor of the lower house of parliament, at that time, was a knight, called sir John Cheney, that having been a clergyman sometime, without any dispensation forsook his calling, and became a soldier. This profane apostate was not ashamed to say, 'It was no matter for their prayers, so the king might have their money.' 'I see now,' quoth the archbishop, 'whither the fortune of this realm tendeth; the prayers of the church being despised, which should appease the wrath of God, justly kindled against us by the daily

monstrous iniquities of our age.' The archbishop then turning him about to the prolocutor, and certain other knights of the lower house that accompanied him, 'you it was,' said he, 'and such as you are, that persuaded the last king to take into his hands all such cells in England, as appertained to any religious houses of France or Normandy. And after he had taken that course, he was not the value of half a mark the richer; and how he thrived afterwards otherwise, I need not tell you.'" The king was well pleased with this discourse of the archbishop, and publicly declared he would always maintain the rights and privileges of the church. Then the clergy opened their purses, and contributed largely towards the king's necessities.[1] Afterwards, king Henry, finding that not only the doctrine of the universal church, but the peace of the kingdom, was like to be daily more and more disturbed by Wycliffe's opinions, ordered all those to be sought after, and prosecuted, who adhered to that party.[2]

It was king Henry's policy to make what friends he could abroad, in order to secure himself against malecontents at home. And, upon this view, he was not only very submissive to the see of Rome, but much more complaisant than some of his predecessors had been, especially in regard of papal provisions; for, contrary to the late laws in that case, he had permitted several foreigners to possess considerable benefices, upon the pope's recommendation. This complaisance, the king showed to the see of Rome, very much displeased the English clergy, and, in particular, archbishop Arundel, who, though he was entirely devoted both to the pope and king Henry, yet remonstrated strongly against the promotion of so many foreigners. He told the king, that it was a custom both dishonourable and detrimental

[1] Godw. in vit. Arundel, 124. [His account is taken from Walsingham, 371, 372. I should add that the name of the speaker, who is here called sir John Cheney, was, in fact, sir William Sturmy. Rot. Parl. iii. 546.—*T.*]

[2] [A statute, called the statute *de heretico comburendo*, was passed for this purpose. Rot. Parl. iii. 466, 467. See Appendix, No. XI. It was not *after*, but *before*, the dispute between Arundel and the speaker of the commons, that this statute was passed.—*T.*]

to the church of England, and not a little lessening to the royal prerogative; that it made studies languish in the universities, and very much discouraged the English youth, who took no care to qualify themselves, when they saw so many foreigners preferred to ecclesiastical dignities. Many other reasons were alleged, to the same purpose, and which formerly had prevailed upon the legislature to make the statute of provisors.[1] In conclusion, the king promised that these matters should be redressed; and, in the meantime, he concurred with the clergy in making and putting in execution several useful laws, relating to the discipline of the church; some whereof were, that benefices should not be appropriated to any convent, or capitular body, unless a sufficient endowment was first settled upon a vicar, to perform all parochial duties, and a part of the revenues allotted for the benefit of the poor;[2] that the clergy should not be drawn out of their own courts, to answer in secular tribunals;[3] and that no one should be admitted into any of the mendicant orders, without the consent of parents or tutors, nor before they were fourteen years of age.[4] Notwithstanding these good regulations, there were many other abuses, which, being of a more tender nature, could not so easily be redressed; they were such, in which the king's power was immediately concerned. However, in the year 1412, Thomas Arundel, archbishop of Canterbury, calls a synod, in which several articles were drawn up, to be offered to the king, to the end he might see justice done to the church, which, of late, had been oppressed, and deprived of some of its rights. The particulars, the synod insisted upon, were, that, when a clergyman was found to be a delinquent, his tythes, oblations, and other effects, should not be confiscated to the king's use; that, when there was a design of adding to the temporalities of poor vicars, from the revenues of churches where the king was patron, the officers of

[1] Harpsf. 618.

[2] Stat. 4 Hen. 4. cap. 12. [It was, however, only a renewal and confirmation of the statute 15 Ric. II. c. 6.—*T.*]

[3] Ibid. cap. 2 and 3.

[4] Ibid. cap. 17; Rot. Parl. iii. 502.

the court should not interpose, as they had done, to obstruct such good works; that, when ecclesiastical benefices were under sequestration, upon account of the incumbent's incapacity, the king should not suffer any rescript to come out of any of his courts, to hinder such sequestrations; that, when strangers were ejected from convents, or alien priories, as being enemies to the government, the revenues should not be bestowed upon the laity, but upon English monks placed in their room. These petitions, and some others of the like import, were neither rejected, nor immediately granted; the king's death, which happened March 20, 1413, and some other occurrences, retarding the execution.[1]

There are some pious foundations, which belong to this reign. Trinity college, at Pomfret, a hospital near it, and Trinity chapel, near Rochester bridge, were all three founded by sir Robert Knowles, who also contributed very largely towards repairing the English college at Rome; Fotheringay college, in Northamptonshire, a very rich foundation, by Edward, duke of York, upon which king Henry V. afterwards bestowed several parcels of land belonging to the alien priories; a noble hospital for the poor, near that of St. Cross, not far from Winchester, by Henry Beaufort, bishop of Winchester, who lived in this and the ensuing reign; and an almshouse in Wells, near St. Cuthbert's church, by Nicholas Bubwith, bishop of Bath and Wells. It subsisted in Godwin's days, and had revenues for the maintenance of twenty-four poor.[2]

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[1] Harpsf. 619.

[2] Tanner, in locis; Godwin, in vit. Beaufort et Bubwith, 232. [This reign should not be closed, without some mention of the celebrated William of Wickham. He was born at Wickham, in Hampshire; and, having studied at Oxford, became secretary to his patron, a knight named Uvedale, the governor of Winchester castle. He was afterwards introduced to Edward III.; was appointed surveyor-general of the royal buildings, and, in that capacity, exhibited his architectural knowledge and abilities, in the erection of Windsor castle. The favours of the court now flowed rapidly upon him. Having passed through various secular offices, he was, in 1367, preferred to the see of Winchester; and, in the following year, was raised to the dignity of lord chancellor. By what means he subsequently lost the friendship of Edward, we are not told. When, by the influence of Lancaster, the council was dismissed, in 1376, Wickham shared the disgrace of his companions, and was not only banished

1413 Henry V. was twenty-six years of age when he succeeded his father, Henry IV. He had given himself great liberties in his youth, and degraded himself far below that dignity, which his birth had honoured him with. Yet, no sooner was the crown put upon his head, but he became a new man; and whereas others are commonly so transported by honours, as to give themselves up entirely to their passions, and live without restraint, they had a contrary effect upon him, who immediately became as great an example of modesty and regularity, as, before, his behaviour had given scandal to the nation. His first and principal care was, to make choice of such ministers as were free from the two devouring vices of ambition and avarice, whereby the people are enslaved, and a general corruption is spread through all the inferior courts of a kingdom.[1] Under this promising aspect, which distinguished the beginning of his reign, he put up and pursued his claim to France, by a vigorous war. This enterprize was favoured by the unfortunate circumstances of the French nation. Charles VI., who, at that time, was their king, was a weak prince both as to body and mind, and the nobility under the utmost distraction by their divisions. The issue of this war was the reduction of all those provinces which formerly belonged to the crown of England; and the famous battle, gained at Agincourt, made way for our becoming masters of the whole kingdom, which was soon after effected by the assistance of Philip, duke

from court, but was also deprived of the temporalities of his see. He was even excluded, by name, from the general pardon, published by the king, in February, 1377 (Rot. Parl. ii. 365): but, in the following June, he succeeded in effecting his reconciliation; and, retiring at once to his diocese, employed the remainder of his life in planning and perfecting those magnificent institutions, which have since immortalized his name. In 1379, he laid the foundations of New-college, Oxford: on its completion, in 1386, he turned his attention to Winchester; and, in the following year, commenced the college, which still honours him as its founder. At the same time, he rebuilt the nave of his cathedral: he established an exhibition for fifty poor scholars at Oxford; and, amongst numerous other works of public utility, expended a sum of 20,000 marks, in the repairs of the episcopal dwellings. He died in 1404, aged eighty years; and was buried in his own cathedral, where his tomb may still be seen. See Chaundler, apud Ang. Sac. ii. 355, 356; Harpsf. 550—555; Godwin, in vit. 226—230.—*T.*]

[1] Elmham, 12—17; Walsing. 382.

of Burgundy, in revenge for the murder of his father. For king Henry V., by marrying Catherine, daughter of Charles VI., king of France, thus strengthened his claim, which afterwards, in the year 1420, became an established right, when the French nobility, having proscribed Charles, the dauphin of France, declared Henry V. to be regent, and heir to the kingdom. But he lived not long to enjoy this new acquisition, from which he was snatched by death, the last of August, 1422.[1]

As the crown of England became glorious by the courage of this great king, so the church flourished by his zeal for religion; for whereas his predecessors, when they made a seizure of alien priories, very often bestowed part of their revenues upon the laity, this religious king either repaired those houses, and made them denizen, or ordered their revenues to be transferred upon some other community.[2] He also was the founder of two noble monasteries; one at Shene, near Richmond, in Surrey, for monks of the Carthusian order; the other called Sion, in Middlesex, for both sexes, of the Brigitine order. At this time, lived Henry Chicheley, archbishop of Canterbury, the founder of several religious communities; viz. a rich college at Higham-Ferrers, in Northamptonshire, with a hospital near the same place; Bernard college, in Oxford, for scholars of the Cistercian order, which, being suppressed by king Henry VIII., was refounded by Sir Thomas White, and called St. John's college; and lastly, All-souls college, in Oxford. Henry Chicheley has a great character in history, and, allowing for the common infirmities of human nature, is described to be a man almost without fault. Godwin says, he was wise and dis-

[1] Elmh. 251—266, 334; Rymer, x. 30—32.

[2] [Thus the priory of Andover was given to Winchester college: those of Takely and Hamele, the former in Essex, the latter in Hampshire, were settled on New-college, Oxford (Tanner, 125, 158, 163). It should be remarked, however, that other sovereigns had seized the alien priories, only for the term, or duration of an existing war; but that, by Henry, those establishments were for ever dissolved, and their revenues confiscated to the use of the crown (Rot. Parl. iv. 22). Of this "dangerous precedent" Collier justly observes, that it "led the way to larger measures of the same kind, in the reign of Henry VIII." Eccl. Hist. i. 651.—*T.*]

cerning in the government of his see, liberal to the poor, and magnificent in those establishments he made for the support of the church and state. One thing is observed of him, that, though he acted as the pope's legate, yet he was so cautious, as to have the king's approbation before he would accept of that office.[1] I must not omit, upon this occasion, to make mention of the council of Constance, and of the insurrection of Sir John Oldcastle, called lord Cobham; because Henry V. and archbishop Chicheley were very instrumental in establishing both the peace of the church and state. The council of Constance put an end to that great schism, which had reigned near sixty years, and Martin V. was universally acknowledged to be the true pope. The Wycliffites, from attacking the church, began to rebel against the government, under the conduct of that enthusiast, Sir John Oldcastle, who was put to death for his seditious practices, as well as for his erroneous doctrine.[2] William Lyndewood, bishop of St. David's, ought to be remembered in this reign; he was a great divine, and well skilled in the canons of the church, having been chancellor to the archbishop of Canterbury, and frequently sent abroad upon public affairs. He was compiler of the provincial constitutions of England, from the time of Stephen Langton to archbishop Chicheley, and died in the year 1446. To him we may join Thomas Rudborn, also bishop of St. David's, who was an universal scholar, and author of a chronicle.[3]

1422 Henry VI., at his father's decease, was only nine months old. He was committed to the care of

[1] Elm. 25; Tanner, 388, 440, 441; Godwin, in vit. Chicheley, 126, 127.

[2] Rot. Parl. iv. 107—110; Elm. 30—32; Walsing. 400. [See also Lingard, iii. 333—337, 362, 363. In consequence of the insurrection under Oldcastle, an additional statute was passed against the new teachers. Having declared that "the intention of the heretics, called Lollards,"—another name for the followers of Wycliffe—"was, to subvert the christian faith, the law of God, the church, *and the realm*," it enacted, that all magistrates and other officers of government should be sworn to assist in the extirpation of heresy; that all persons suspected of Lollardism should be arrested, and delivered to the ordinaries; and that all heretics, convicted before the proper tribunals, should forfeit their lands, goods, and chattels to the crown.—Rot. Parl. iv. 24; Stat. 2 Hen. V. cap. 7.—*T.*]

[3] Godwin, in vit. Lindewood et Rudborne, 583.

Thomas, duke of Exeter, and Henry, bishop of Winchester. John, duke of Bedford, had the government of France, and Humphrey, duke of Gloucester, ruled over England. Now, though Henry V., by appointing his brothers to manage affairs, during his son's minority, seems to have acted according to the rules of prudence, yet the nation was still exposed to those misfortunes, which usually happen under such an administration, where jealousy and ambition push great men on, to ruin the public upon private views. And it was England's fate to have its ancient glory eclipsed, upon the present juncture; all things conspired, both at home and abroad, to destroy its felicity. The duke of Gloucester was impeached for mal-administration, in a full parliament assembled at Bury, where he was charged with several articles, some whereof were manifest calumnies. However, he sunk under the weight, and was not only disgraced, but, as it is thought, was privately taken off by the contrivance of his enemies; yet he still preserved a reputation with the generality of the people, and was commonly distinguished by the name of the good duke of Gloucester.[1] Then, as for affairs abroad, a war was begun in France, which continued thirty years, with little interval, and with ill success; England was brought to so low an ebb, that, before the end of the year 1453, she was deprived of Normandy and Aquitaine, and very little left of her late acquisitions. It was during this war, that the Maid of Orleans spirited up the French; and, whether by human contrivance, or by appointment of heaven, her behaviour proved instrumental in perplexing and ruining the English affairs abroad. But what chiefly contributed towards this misfortune, was the fatal contest between the houses of Lancaster and York, about their title to the crown, which involved the nation in a bloody and tedious civil war, whereby England was incapacitated for retrieving her losses in foreign countries; for Richard, duke of York, having put up his

[1] Grafton, i. 629, Edit. 1809. [Dr. Lingard, however, has satisfactorily shown, that the fact of his having died a natural death is more probable.—iii. 450, 451, notes.—*T.*]

claim, was, in a little time, able to support it at the head of a powerful army. Many engagements happened between the two parties, and a battle, gained by the earl of Warwick, in 1460, was almost decisive; for there king Henry VI., being taken prisoner, was conveyed to London, and Richard, duke of York, was, in a grand assembly of nobility, declared heir to the crown, and to act as regent, during the life of Henry VI.[1] Meantime, Margaret, wife to Henry VI., with an equal number of nobility, pursues the war; and fortune favouring the house of Lancaster, Richard, duke of York, was killed in the field, and, after another engagement near St. Alban's, king Henry was restored to his liberty. Afterwards, several of the nobility and others were executed as rebels. However, the Yorkists appeared again in the field, being headed by Edward, earl of March, son of Richard, duke of York, who, being assisted by Richard Nevil, the mighty earl of Warwick, by degrees overcame the Lancastrians; so that Henry VI. and his martial queen, their army being dispersed, were obliged to
1461 retire into the north, and, in the year 1461, Edward, earl of March, was proclaimed king.[2] King Henry, having formed an army on the borders of Scotland, marcheth forward to recover his crown; but, being
1465 beaten by the Yorkists, was taken prisoner, and confined in the tower of London.[3] And now the earl of March, called Edward IV., looked upon himself to be securely seated on the throne; but it was not long before the disgusted earl of Warwick appeared in the field, at the head of the Lancastrians, and by the assist-
1470 ance of Louis XI., king of France, drove king Edward out of the kingdom, and Henry, for a while, recovered the crown. Edward applied himself to Charles, duke of Burgundy, to whom he had given his sister in marriage, and, by the assistance of this powerful prince, he was able once again to dispute the case with the Lancastrians. There was a violent struggle,

[1] Wyrcester, 484; Grafton, i. 665, 669. [2] Wyrcest. 486, 488, 489.
[3] Ibid, 504; Fabyan, by Ellis, 654.

for six months, till, at last, the fatal battle of Barnet decided the cause, in favour of Edward IV. Richard Nevil, the great earl of Warwick, lost his life in the engagement; prince Edward, the son of Henry, being taken prisoner, was barbarously murdered in cold blood; and Henry himself, who had already been returned to the Tower, was, soon after, privately taken off, as it is said, by Richard, duke of Gloucester, brother to king Edward IV., in the year 1471.[1] King Henry VI. reigned thirty-eight years and six months. He has an excellent character in history, especially upon account of his innocent life, and the practice of all sorts of virtues, that were capable of recommending him either in a public or private capacity; strictly just, and surprisingly patient in afflictions. Some authors give an account of miracles that were wrought at his tomb, and that there was a design to have him canonized.[2] 1471

Notwithstanding the dismal state England was in, during the reign of king Henry VI., yet, being a prince of a religious disposition, and not unprovided with persons of zeal to encourage him, several monuments of piety were erected in his time, both by himself and others. In the first place, he took care to have the lands of alien priories restored to the church, and that some of them should be settled upon All-Souls college, in Oxford, founded by archbishop Chicheley. In the year 1443, he founded King's college, in Cambridge, in honour of our Blessed Lady, and St. Nicholas; as also Eton college, near Windsor, in honour of our Lady. Pious foundations by others, were, a well endowed college at Ewelme, in Oxfordshire, for a certain number of priests and poor, by William de la Pole, duke of Suffolk, and Alice, his wife; Wye college, in Kent, by John Kemp, archbishop of Canterbury; Lincoln college, in Oxford, by Richard Fleming, bishop of Lincoln; Magdalen college, in Oxford, by William of Waynfleet, whose true name was Patten (he was bishop of Winchester, of the Lancastrian party, and flourished under

[1] Stowe, 422, 423, 424; Grafton, ii. 42, 43.
[2] Contin. Croyland, apud Gale, 556.

Henry VI., Edward IV., and Henry VII., and died in 1486); Theale college, in Hertfordshire, by William Grey, bishop of Lincoln; Sunning monastery, by Robert Nevil, bishop of Salisbury, afterwards translated to Durham; and Westberry college, near Bristol, rebuilt and refounded by John Carpenter, bishop of Worcester.[1]

1461 Edward IV., being crowned, called a parliament, in order to put things into a better method, which had been in the utmost confusion, during the civil war. He laboured four years in this laudable work, and, at the same time, left nothing undone towards reconciling the minds of his subjects, who had many years been divided by taking parties. He also endeavoured to strengthen and secure himself by alliances, and a good correspondence with the powers abroad; to which purpose, he married his sister, Margaret, to Charles, son of Philip, duke of Burgundy.[2] He also thought it convenient to cultivate a friendship with Louis XI., king of France, and sent over the earl of Warwick, to enter upon a treaty of marriage with Bona, daughter of Louis, duke of Savoy, and sister of Carola, queen of France. But, in the meantime, king Edward, altering his mind, took for his wife Elizabeth, daughter of Richard, earl Rivers, and widow of Sir John Grey. This unexpected marriage so exasperated the earl of Warwick, that he vowed revenge, and joined himself to the Lancastrian party, and made that opposition I spoke of, in the latter end of Henry VI.'s reign.[3] King Edward IV. died on the 9th of April, 1483, being forty-one years of age.

In his reign, Thomas Rotherham, alias Scot, was archbishop of York; he founded a college, at Rotherham, where he was born, and was very bountiful in

[1] Tanner, in locis; Speed, 1058; Godwin, in vit. Nevil, 350.

[2] Rot. Parl. v. 622, 623.

[3] [For the particulars of Edward's marriage, see Fabyan, 654. The negotiation with Bona of Savoy, though frequently asserted, has been shown, by Dr. Lingard, to be a fiction (Hist. iii. 519, note): of course, the disappointment of Warwick, consequent on the rupture of that supposed treaty, is equally fabulous. The most probable causes of the earl's resentment are explained by Dr. Lingard, ibid.—*T.*]

putting the last hand to Lincoln college.[1] I must not forget, in this place, to make mention of another archbishop of York, who made a considerable figure in this reign, viz. George Nevil, so remarkable in history for the great entertainment he gave at his consecration. He was brother to the famous earl of Warwick, by whom kings were raised and pulled down at pleasure. When this earl set up Henry VI. against Edward IV. (though he had reigned nine years), his brother, the archbishop of York, took part also with the Lancastrians; and it was his fortune to take king Edward prisoner, who, having a great deal of liberty allowed him by that noble prelate, made his escape; and afterwards, the Yorkists being victorious, the archbishop was made prisoner, but after some time released. However, king Edward having an eye upon his immense riches, by one means or other brought him under a prosecution for treason; so he was stript of his substance, and kept prisoner in Calais and Guisnes, from whence being released, he was restored, and died soon after. While he was archbishop, the see of York was deprived of a great part of its ancient jurisdiction, by pope Sixtus IV., who made St. Andrew's, in Scotland, an archiepiscopal see, with twelve suffragans, which formerly depended upon York. Some opposition was made against this new regulation, but it came to nothing.[2] Godwin, in his account of English bishops, tells us, that, about these times, Lyonel Wydevile was bishop of Salisbury, that he was the son of Richard, earl Rivers, brother to king Edward IV.'s queen, Elizabeth, and, being consecrated in 1482, died in 1485. He adds, that a nameless person, kinsman to the family, told him, that Stephen Gardiner, bishop of Winchester, was son of bishop Wydevile, who, to conceal his offence, contrived to have his mistress married to one Gardiner.[3] But it is probable this might be a

[1] Godwin, in vit. 698.

[2] [See his life in Godwin, 693—697. The escape of Edward, and the release of the archbishop, are differently related, and on better authority, by Dr. Lingard, iii. 525, 538, notes.—*T.*]

[3] P. 351.

fiction, to depreciate bishop Gardiner's character, as well as to asperse the whole order; for things of that kind are commonly such secrets, that the age they happen in can be no judge of them, much less can future ages pronounce upon them without rashness.

1483 Edward V. was thirteen years of age, at the decease of his father, Edward IV., and had a brother, Richard, duke of York, who was only eleven years old. They had been committed to the care of the lords Rivers and Grey; but were seized by their uncle, Richard, duke of Gloucester, the late king's brother, who, though he caused his nephew, Edward, to be proclaimed king, yet, being fired with ambition, contrived a means how to disappoint both those princes, and have himself declared king, which was, by pretended proofs of their illegitimacy, and exposing their mother as an adultress. He was not unprovided with fit instruments for carrying on his design. Preachers were set on, to divulge it in the pulpit; and the duke of Buckingham, a person of vast riches and power, giving into the project, the contrivance met with success. However, to remove all obstacles, and make matters secure, the two princes, who had before been confined in the tower, were privately June made away, and their uncle, the duke of Gloucester, 22. saluted king, with the title of Richard III.[1] Now, as he had obtained the crown by treachery and murder, so he governed after a very tyrannical manner; which behaviour, having exasperated the nation, afforded an opportunity to any one that could lay claim to the crown. Among these, Henry, earl of Richmond, who was of the Lancastrian family, by the mother's side, though at a great distance, had made such interest, as to be in hopes of dethroning the tyrant Richard, and stepping into his place. After some time spent in forming an army, the earl of Richmond at last came to an engagement with his antagonist, part of whose army proving false to him, he was routed, and lost his life in the field, with singular bravery, on the 22nd of August,

[1] More, 60—65; Contin. Croyland, 568.

1485, and the earl of Richmond obtained the crown, being styled Henry VII.[1] Though the reign of Richard III. was very short, yet he found leisure for erecting some pious foundations; viz. a college at Middleham, in Yorkshire, and another college, near the Tower of London, adjoining to a chapel called our Lady's of Barking. He was also a considerable benefactor to Queen's college, in Cambridge.[2]

Henry VII, apprehending that he should meet with opposition, and that several persons would disturb the quiet of his reign, in favour of the house of York (and, indeed, considering his remote claim, his fears were not groundless), to strengthen his title, takes to wife Elizabeth, daughter of king Edward IV, by which contrivance the white and red rose being united, the occasion of a farther contest was, in a great measure, cut off. I will not trouble the reader with the difficulties he struggled with, before he was able to settle himself in the throne; which being overcome, he applied himself diligently to make the nation flourish, both as to learning, piety, and all the requisites of civil government. As he was richly qualified by nature, so he omitted no opportunity of improving his talents. He made and encouraged such laws as were useful both to church and state. He had a singular respect for churchmen in general (but those were chiefly his favourites, who distinguished themselves by their zeal for religion); and was himself an example to his subjects, in all practical duties. The difficulties of the times obliged him to be somewhat severe in the execution of justice, and loading his people with taxes; but, upon a sincere representation, he discovered himself to be merciful and indulgent, and upon all occasions a friend to mankind. Before his death, he began to call his ministers to an account, apprehending, that several of his subjects might have been injured by oppressive methods. Some, that were concerned in public affairs, were ordered to refund

1485

[1] Contin. Croyland, 574, 575.

[2] Tanner, in locis; Weaver, 411. [Middleham, however, he founded in 1476, during the reign of his brother, Edward IV.—Dugd. Monast. iii. part 2, p. 204.—*T.*]

during his lifetime; and the two principal actors, Empson and Dudley, being suspected in his reign, were called to an account, and punished, in the following reign, with the loss of their lives. King Henry VII. died on the 22nd of April, 1509, in the fifty-second year of his age, and twenty-fourth of his reign. He had eight children by Elizabeth, his queen, viz. four sons and four daughters, whereof only three survived him; Henry VIII., who succeeded him in the throne; Margaret, married to the king of Scotland; and Mary, married to the king of France.[1]

In this reign, we meet with several pious foundations. The king himself built and founded the noble chapel, together with an almshouse, at Westminster, as also the hospital at the Savoy, for a certain number of priests, and a hundred poor people. He moreover established six convents, for friars of the Franciscan order, viz. at Richmond, Greenwich, Newark, Canterbury, Newcastle, and Southampton. In Henry VII.'s reign, Jesus college, in Cambridge, was founded by John Alcock, bishop of Ely; it had formerly been a nunnery, called St. Radegund's; again, Brazen-nose college, in Oxford, was founded by William Smith, bishop of Lincoln, who, in like manner, was founder of a hospital in Litchfield, where he had sometime been bishop, as also of a free-school, at Farneworth, in Lancashire, where he was born.[2]

Having finished this compendious account of ecclesiastical affairs, and brought it down to the beginning of Henry VIII.'s reign, my design is to pursue the subject more largely, in the two last ages, which is strictly the work I have undertaken. In the meantime, there will be no occasion of making any other reflections upon this introduction, than what are obvious to the

[1] Hall, 504, 505. Edit. 1809. [It may be doubted, however, whether Henry's character was as amiable as it is here described. See Lingard, iii. 364, et seq.—*T.*]

[2] Weaver, 445, 450, 498; Collect. Anglo-Minorit. part i. p. 211; Godwin, in vit. Alcock et Smith, 270, 299. [Brazen-nose college, however, was not founded until the following reign. The patent is dated in 1511. Tanner, 442.—*T.*]

reader ; who will easily perceive, that, as there has been a constant correspondence between the see of Rome and the church of England, so, according to the usual fate that attends human affairs, there were frequent controversies, in every age, which, in general, were concerning the limits of the two powers, civil and ecclesiastical. At the same time, it may be observed, that the particular heads of those debates were, the right of patronage or presentation to ecclesiastical dignities, exemptions of the clergy from taxes and prosecutions in courts of civil judicature, the privileges of sanctuary, the power of legatine courts, the custom of appealing immediately to Rome, the exorbitancy of fees demanded by the bishop of Rome, upon account of his supremacy, the power of excommunication, and other church censures, in cases of a civil nature. Now the kings of England, with the bishops, nobility, and others of the laity, looking upon themselves to be nearly concerned in this sort of matters, they often became a subject of complaint and contention, either by questioning the power, or remonstrating against the abuse. Both sides alleged laws and customs, which being different in different reigns, accordingly as the two powers were disposed to compliment each other by concessions, all was well, while things were managed by persons of a pacific temper ; but, when either party happened to be transported with passion, or carried away by indiscreet zeal, the complaints were mutual, that both stept out of their boundaries. At length, the legislature took it into consideration, that certain restraining laws would be a means of putting an end to many of those controversies, which had so long disturbed the peace both of church and state. And this gave birth to the statutes of mortmain, provisors, and premunire, against appeals to Rome, which were designed to secure the prerogatives of the crown, together with the liberties of the church of England. Now, though these regulations were not according to the humour of the see of Rome, as it appears by the petitions to have those statutes repealed, yet all quarrels, both upon these and all other accounts,

were still carried on within the pale of the church. There was no breach of communion, no new liturgies, no articles of religion drawn up in opposition to the belief of the churches abroad: on the contrary, England still continued her correspondence with the see of Rome, and, in several points, was more observant than what might be required by the essentials of a spiritual supremacy. For, besides that no bishop was permitted to exercise his jurisdiction without the pope's approbation, and an oath of canonical obedience to the holy see,[1] the customary taxes for the pall, bulls of confirmation, and dispensations, the laws and orders for annates, first-fruits, and Peter-pence, were still kept a-foot, though under a more moderate regulation; and these collections were judged proper towards supporting the dignity of the holy see, and enabling the pope to answer the great charge of an universal inspection, wherein many agents were to be employed. Farther, though the statutes above-mentioned seemed to bear hard upon the pope's usual jurisdiction, yet they were often set aside, as if they had been made only *in terrorem:* for we meet with pious foundations, papal provisions, legates from Rome, &c., as usual before those statutes were in force. Our kings thought fit to compliment the see of Rome with those privileges, which custom had almost made a right in former days; at least, several popes were pleased to expound them in that sense, and were for trying titles before they would part with them. This was the posture of affairs when king Henry VIII. came to the crown, who went beyond many of his predecessors in the respect he paid to the holy see. He sued to Rome for a dispensation, upon his marriage with queen Catherine; he maintained the *jus divinum* of the pope's supremacy, in his learned book against Luther, and accepted of a bull, whereby he and all his successors obtained the title of Defenders of the Faith;[2] he admitted cardinal Wolsey to hold a legatine court, in converting the revenues of certain religious houses to

[1] See Appendix, No. XII.

[2] See Appendix, No. XIII.

the use of his colleges; he submitted to an appeal to Rome, upon the first motion for the divorce, and allowed the two cardinal legates, Campeggio and Wolsey, to hold a legatine court upon that subject; nay, even after he had assumed the title of head of the church, he was so scrupulous about the pope's supremacy, that Cranmer was obliged, at his consecration, to take the usual oath of canonical obedience to the see of Rome.[1] Now, what inducements king Henry had, and what methods he made use of, to break off all commerce with the holy see, and destroy those pious foundations erected by his predecessors, and others, from the first foundation of Christianity in this island, the following History will give an account.

[1] [Nor was this a singular instance of the same feeling. Lee and Gardiner, when appointed, in 1531, to the sees of York and Winchester, were compelled to address the pope for institution; and it was not until the papal bulls had arrived, that Henry invested them with their temporalities.—Rymer, xiv. 428, 429.—*T.*]

ARTICLE II.

DIVORCE OF QUEEN CATHERINE—ORIGIN OF THAT EVENT—ANNE BOLEYN—CONSULTATION OF DIVINES—APPLICATION TO THE POPE—THE DECRETAL BULL—CAMPEGGIO AND WOLSEY COMMISSIONED TO HEAR THE CAUSE—ATTEMPTS TO INFLUENCE THE POPE—ARRIVAL OF CAMPEGGIO—HENRY'S ADDRESS TO THE NOBLES—THE LEGATINE COURT IS OPENED—ITS PROCEEDINGS—THE COMMISSION OF THE LEGATES IS REVOKED—THE KING IS SUMMONED TO PLEAD HIS CAUSE IN ROME—BREVE OF INHIBITION—HENRY'S EXPEDIENTS—OPINIONS OF THE UNIVERSITIES—AND OF THE REFORMERS—LORDS AND COMMONS ADDRESS THE POPE—HIS ANSWER—MORE EXPEDIENTS—BENNET'S MISSION—MEDIATION OF FRANCE—HENRY MARRIES ANNE BOLEYN—RISE AND CONSECRATION OF CRANMER—WHO PRONOUNCES A DIVORCE—CLEMENT WRITES TO HENRY—AND ANNULS THE JUDGMENT OF CRANMER—EMBASSY TO THE POPE AT MARSEILLES—HENRY APPEALS TO A GENERAL COUNCIL—DEFINITIVE SENTENCE IN FAVOUR OF CATHERINE—HENRY'S PROCEEDINGS—HE IS EXCOMMUNICATED—ABSTRACT OF THE REASONING OF THE TWO PARTIES, ON THE SUBJECT OF THE DIVORCE.

By a treaty of marriage, between Arthur, eldest son of Henry VII., king of England, and Catherine, daughter of Ferdinand, king of Spain, Catherine was sent over, and arrived at Plymouth, October 2, 1501. They were married November 14th following, Arthur being somewhat above fifteen years of age, and Catherine about eighteen. Prince Arthur, being of a tender constitution, and very much inclined to a consumption, died at Ludlow castle, the April following, and was interred in the great church at Worcester, having not yet completed the sixteenth year of his age. Upon his decease, it was agreed between the two fathers, that Catherine should not be returned back into Spain, but, by another treaty, espoused to prince Henry, second son of king Henry VII. Accordingly, they were contracted, having first obtained a dispensation from pope Julius II., upon account of the canonical impediment in marrying a brother's wife. The bull of dispensation bears date December 26, 1503. It was granted after a full hearing of the case; and, besides mentioning the reasons for continuing the alliance between the two kingdoms, there is a

clause conditionally expressing the consummation of the former marriage. When prince Henry was arrived at a sufficient age to ratify the contract, his father obliged him to declare against it, the reasons whereof are not sufficiently known; but it is supposed king Henry stood off, in hopes of obtaining some better terms from the court of Spain.[1] Upon this, the contract was annulled, and so it remained till the death of king Henry VII., which happened April 22, 1509. When it was moved in council, whether the contract of marriage between the king and Catherine should be renewed, several political considerations were mentioned for and against it; and, as it is said, archbishop Warham offered something against the legality of the dispensation.[2] However, the opinion in favour of the contract prevailed, and the parties were married, with full consent, June 3, 1509. The queen had some miscarriages, and some children born, who died soon after; only one daughter, Mary, born February 18, 1516, arrived to a perfect age, and lived to inherit the crown. They lived together near seventeen years, free from any scruples concerning the validity of their marriage. In the year 1527, it was rumoured about, that the king had entertained some thoughts of seeking for a divorce, and several were privately employed to bring it about. But, before I proceed to give an account of their methods, it will not be unseasonable to search after the origin of this controversy, in which our historians are very much divided. The king himself allegeth a real scruple and tenderness of conscience, upon account of the unlawfulness of his marriage; the queen makes it a contrivance of cardinal Wolsey, out of revenge against the emperor. Some say it was first raised by the French ambassadors, upon a treaty of marriage, proposed between princess Mary and the duke of Orleans; others, that it was a politic

[1] [This is proved by the evidence of Fox, bishop of Winchester, whose deposition was read at the trial (Herb. 274). The protestation is in Burnet, i. Rec. p. 10, and Herbert, 277.—*T.*]

[2] [This is incorrect. Warham, in the first instance, objected to the *marriage*: but, "when the bull of dispensation was granted, he contradicted it no more." Warham's evidence on the trial, apud Herbert, 271.—*T.*]

caution to have an heir male, that the crown might not devolve upon the Scottish line. Again, we are told, that king Henry had taken a personal dislike to the queen. Besides these conjectures, we are assured by several authors, and those well qualified to report such matters, that Anne Boleyn stood behind the curtain all the while; and that the furious passion the king had for that lady, was the master-spring, which gave motion to all the rest. But, as objects, which draw our affections either towards good or evil, do seldom work singly upon the mind, so we may reasonably suppose, that all the motives above-mentioned concurred to carry on the divorce; and it will not be improper to consider which of them was most prevailing.

In the first place, though it is the part of every good christian, to have a due regard to a scrupulous and tender conscience, yet mankind do so frequently impose upon one another, by this method, that the plea is not to be allowed without some caution; which, in general, is, to consider, whether a man's life is all of a piece; for it often happens, that there is so great an inconsistency of behaviour, that several, who pretend to a tender conscience, have no conscience at all. As to the present case of king Henry VIII., there are, indeed, some remote circumstances, which plead in his favour; namely, the opposition that was made against a dispensation, near twenty years before, and again the same repeated by archbishop Warham, upon renewing the contract; and that the French, if it be true, some years before, objected against the legitimacy of princess Mary, as king Henry informs his nobility; and that the king refrained from the queen's bed seven years, before he thought of the divorce, as Burnet reports, from Simon Grynæus.[1] Still, if these particulars were true, they would amount to no more, than that all persons were not satisfied with the reasons for a dispensation; but seeing that both the king, archbishop Warham, and others, acquiesced to what was decreed by proper judges

[1] Hist. Reform. i. 37.

in that case, there could be no room for scruples afterwards. Besides, the opposition that was made was more upon politic than religious motives. This is plainly the case, when Henry VII. obliged his son to declare against the contract; and it is no less manifest, that, if the French objected against princess Mary's legitimacy, it was upon some politic view. As for king Henry's declaration to Simon Grynæus, if it was real fact (a point I shall not now enquire after), it is no proof of a scrupulous conscience. Is it credible, that a person of king Henry's temper would have sat seven years quiet under a distracted mind? That he refrained seven years from the queen's bed (which was during the controversy, which lasted about seven years), this will be owned; and it was a necessary piece of management, in one that pretended to be scrupulous about the validity of his marriage. But, in case king Henry had refrained several years from the queen's bed, before the contest began, this can be no proof that he was scrupulous about his marriage. Those that have disagreeable wives, those that have an aversion to them, upon account of any defect of body, mind, or behaviour; those that are viciously inclined, and spend their time in following ladies of pleasure, are a sufficient proof, that tenderness of conscience is not the only motive for deserting their wives. Now let king Henry's life and behaviour speak the rest, whether he was apt to be scrupulous, either in matters of love or revenge.[1]

In the next place, as to the share cardinal Wolsey had in this controversy. The queen, indeed, as will hereafter be seen, charged him with being the first promoter of it, and publicly declared, that he attempted it, to revenge himself both of her and the emperor, her nephew, for that she had sometimes taken the liberty to reproach him for his pride, &c., and that the emperor

[1] [The fact of Henry's having abstained from Catherine's bed, is disproved by Dr. Lingard, who cites the following passage from a letter, written so late as October, 1528. "Ne à les veoir ensemble se sçauroit on de riens appercevoir: et jusques à ceste heure, *n'ont que ung lict*, et une table." Bishop of Bayonne, apud Le Grand, iii. 170.—*T.*]

had not stood by him, when there was an election for the papacy. However, the king always excused Wolsey from being the contriver, it being more for the credit of the cause, to pitch upon some other less obnoxious to censure. That Wolsey seconded the matter, and made use of all his interest and skill in bringing the divorce about, is plain from his own letters, and all other accounts; though it must be owned, he was much cooler in the matter, when he found the king had no inclination to match with France, but seemed resolved to make choice of Anne Boleyn.[1]

How far the French were concerned in favouring king Henry's design, it is generally agreed they encouraged him all they could, in hopes, by this means, to distress the emperor. But the writers of that nation are not willing to own the French court to have been the first promoter. "Whether," says Collier, "the starting these objections were preconcerted between the French court and ours, or between the cardinal and the ambassador, is not known. It is by some conjectured, that the king or the cardinal put the French upon making this exception; for thus the king might have a colourable pretence to justify his prosecuting the divorce."[2]

That both the king and the generality of the nation had a particular regard to the succession, upon this occasion, is manifest from the public declaration they made, how destructive it would be to the kingdom to want an heir-male, or to have any one sit upon the throne, whose birth-right might be contested. This was a topic much made use of; but then, it was a consideration not to be regarded. The failure of an heir-male was a powerful inducement in policy, to set such

[1] Heylin, Hist. Reform. 259, 260.

[2] Eccl. Hist. ii. 22. [He cites Burnet, i. 36. Dr. Lingard, in the recent edition of his invaluable history, has shown that the story, which assigns to the French ambassador the credit of having first suggested a doubt as to the validity of Henry's marriage, is a fiction, originally got up between Wolsey and the king, for the purpose of enabling the former to break the subject to the prelates of Canterbury and Rochester, and thus eliciting an expression of their opinion on the matter.—vi. 378—380. Ed. 1838.—*T.*]

a controversy a-foot, provided there had been no divine bar to obstruct it; but, as the queen's party apprehended the matter, such kind of arguments could have no force.

Any dislike the king could have to the queen, was a circumstance of much less consequence, in order to prosecute the cause. And yet, this was thought to have been of some weight with king Henry, in the management of that affair; for, notwithstanding the soothing declaration he made in her praise, "he rather respected than affected, rather honoured than loved her. She had got an ill habit of miscarrying, scarce curable in one of her age, intimated in one of the king's private papers a *morbus incurabilis*."[1] Again, her years were added to her temper, which was naturally grave, and was daily become more and more insipid to king Henry, who was never easy but when he was in the midst of gay and revelling companions. However, I do not find that he ever publicly signified any uneasiness, upon account of her unsuitable qualifications; for, though his coldness to her was no secret to those that attended at court, it was under a very serviceable management; and, if he hated her, it was with all the decency imaginable.

But then, on the other hand, it was not in his power to conceal his love so artfully, as he did his aversion; for, among all the motives he had, to drive on the divorce, his affection for Anne Boleyn always appeared uppermost; which caused many to believe, "that all this process was moved by the unseen spring of that secret affection."[2] His passion was ungovernable in that

[1] Fuller, Church Hist. 171.

[2] Echard, i. 659. [To escape from this charge, Burnet (i. 43) endeavours to make it appear, that Anne, who, for several years, had been attached to the French court, did not return to England for a permanency, until 1527, when the question of the divorce had been already raised; and that, till that period, Henry, in all probability, had never seen her. The importance of this chronology to the character of Henry's subsequent proceedings, has induced other historians to adopt it as unquestionable: but the industry of Dr. Lingard has effectually dispelled the illusion; and we are now certain, that, after her return, in 1522, as mentioned by Herbert (112 and 285), Anne must have continued to reside in England. See Hist. of Eng. vi. 110, 111, 112, notes. Edit. 1838.—*T.*]

regard. "Certain it is, that he suffered himself to be so far transported in affection towards her, that he could think of nothing else, but what might tend to the accomplishment of his desires; so that the separation from the bed of Catherine, which was but coldly followed upon case of conscience, is now more hotly prosecuted in the heat of concupiscence."[1] Her wit and behaviour had charmed the king to the utmost excess, there being no perfection of a worldly kind, but what she was entirely mistress of; as singing, dancing, musical instruments, pleasant conversation, &c. By these attractives, she managed him so artfully, in regard of his amours, that she always appeared shy and reserved, when her virtue seemed to be attacked; and yet, by her free and coquet carriage, often made him believe he was master of his prey. However, upon a nearer advance, she gave his majesty to understand, that her virtue was dearer to her than her life, and that no mortal should have the last favour, unless in the state of wedlock.[2] And thus the infatuated king, fluctuating between the thoughts of a mistress and a wife, was so intangled, that, rather than be disappointed in the one, he was resolved to precipitate himself upon the other. Now, as far as intentions can fall under human cognizance, the violent passion king Henry had for this lady, not only gave the first motion to, but carried on, the whole affair. This Mr. Cavendish, not only a contemporary writer, but one of Wolsey's domestics, has delivered to posterity in express words. He says, "the long hid and secret love, between the king and mistress Anne Boleyn, began to break out into every man's ears. The matter was then by the king disclosed to my lord cardinal (Wolsey), whose persuasion to the contrary, made to the king upon his bended knees, could not effect: the king was so amorously affectionate, that will bare place, and high discretion banished for the time."[3]

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[1] Heylin, 174; see Appendix, No. XIV.

[2] Heylin, 258; Pole, Epist. i. 176.

[3] Cavendish, by Singer, 203, 204, 2nd Ed. [Cardinal Pole, addressing Henry himself on the subject, says distinctly, that the idea of a divorce was

The game being thus started, it was hotly pursued by various persons, upon various motives. 1527
The French, the Spaniards, the Germans, the Italians, one way or other, found themselves concerned in the controversy, as well as the English; and they made their attack with the joint force of politics, interest, revenge, conscience, and passion. All the year 1527 was spent in remote dispositions; and great pains were taken, by king Henry's party, to instil into the people the reasonableness of his pretensions. "It appears the English bishops were convened about the question, this year, and that some, though not all of them, had pronounced the marriage unlawful. I say, not all of them; for had the king been furnished with so unanimous a resolution of the English prelates, we may imagine the cardinal, who wrote upon the king's instructions, would have made the most of this advantage, in his letter to Casali." But it appears, "that, when the bishops met to debate this question, the bishop of Rochester refused to put his hand and seal to the instrument signed by the rest. By this writing, it is reported, all the other bishops declared the marriage unlawful. But Cavendish, who was with the cardinal (as has been observed), and discoursed some of the most eminent prelates upon that point, says positively, they came to no resolution; and tells us, that the instrument, signed by the prelates, was only to testify their consent to debate the question."[1]

These were only preliminary debates. The main matter was, to know how the see of Rome stood affected, the pope being regarded and applied to, by all concerned, as the *dernier resort* of the controversy: where-

suggested by Anne Boleyn, through the agency of certain clergymen, whom she employed to propose it to the king. "Illa ipsa sacerdotes suos, graves theologos, quasi pignora promptæ voluntatis, misit, qui non modo tibi licere affirmarent uxorem dimittere, sed graviter etiam peccare dicerent, quòd punctum ullum temporis eam retineres; ac nisi continuo repudiares, gravissimam Dei offensionem denunciarent. Hic primus totius fabulæ exorsus fuit."—Pole, f. lxxvi.—*T.*]

[1] Collier. ii. 24. [Wolsey's letter to Casali, here referred to, is in Burnet, i. Rec. No. iii., and Fiddes, Coll. 149. The opinion of the bishop of Rochester has been printed by Collier, ii. Rec. No. vi., and Fiddes, Coll. 148.—*T.*]

fore proper agents were dispatched, to make interest. King Henry had able persons, both at home and abroad, to manage the cause. In Italy there was sir Gregory Casali, who had great power with the court of Rome, well skilled in affairs, and, though a foreigner, entirely in the king's interest; and to his assistance was
DEC. 5. sent Dr. Knight, one of the secretaries of state. These received instructions from cardinal Wolsey, who was indefatigable in promoting every thing that was agreeable to his prince. On the other hand, the queen was not backward in acquainting the emperor with the whole design, sending express messengers to him, in order to take care of her interest at the court of Rome.[1] Pope Clement VII. now sat in St. Peter's chair, though, when he was first applied to, concerning the divorce, he was shut up, as it were prisoner, in the castle of St. Angelo, where he was besieged by the emperor's army. Wherefore, in the first instance, the case was referred to the cardinal *Sanctorum Quatuor*, who was to advise his holiness how to proceed. The pope, being inclined
1528 to favour king Henry, as far as the cause would allow, yielded to have it tried in England, by a legatine court, where cardinal Campeggio and cardinal Wolsey, both of them subjects to his majesty, were to sit as judges. Now Wolsey had contrived matters so with Casali, that the pope was persuaded to grant a bull in favour of the divorce, conditionally, if sentence should be given by the court in favour of the king. This bull bears date December 17th, 1527. Now, it appears from the letters between Wolsey and Casali, upon the subject of this bull, that it was to be kept as a great secret, and to be shown to none but the king, unless, perhaps, some few persons of note, employed in the cabinet affairs, might be favoured with a sight of it. It cannot be denied, but there was a great deal of management, not to say *finesse*, upon this occasion, both on the one part and the other. A conditional bull may seem to some to have rather been an amusement, than a real

[1] Le Grand, i. 58, 59; State Papers, i. 215, 217, 275: Collier, ii. 36.

favour, and Wolsey, in his letters to Casali, plainly insinuates as much; adding, that it should be of no weight to obstruct a legal process. This the king was well apprised of, and therefore he pressed to have a bull that might be more decisive. I will not pretend to say, what some of our historians affirm without any grounds, that Campeggio did not only bring over the conditional bull, but another that was absolute, which was destroyed by him. It is probable, endeavours might be used to procure such a bull; and Wolsey appears to have petitioned for an unlimited power, so that his holiness should not be in a capacity of revising the cause, or annulling the sentence of the legatine court. But this was a contrivance never likely to take effect; it was divesting the pope of his supremacy, and subjecting a superior power to an inferior, without reserve, or privilege of appeal, a method destructive to all subordination, and forms observed in courts of judicature. One of our historians tells us farther, that, when Wolsey sent his almoner, together with Stephen Gardiner, his secretary, to follow this cause, "they carried along with them to Rome the draught of a bull, containing all the saving clauses that could be invented, that it might not fail of acceptance. One clause was, to declare the issue of the marriage good, as being begot *bonâ fide;* which probably was inserted, to make the queen more easy."[1]

[1] Echard, i. 660. [There are some mistakes, in this part of Dodd's narrative, which it is necessary to notice. 1st. The instrument, which he ridicules, under the title of "a conditional bull," was, in fact, a bull of dispensation, permitting Henry, in case of a divorce, to contract a fresh marriage with any woman but his brother's widow, even though she were related to him *in the first degree of affinity.* This bull was drawn up in England, and, to show the delicacy of Henry's conscience, had the singular effect of authorizing a marriage, of the very same nature, which he was maintaining to be invalid. It will be found in the Appendix No. XV.

2nd. Dodd confounds the bull of dispensation, which was published and avowed, with the decretal bull, whose contents were carefully concealed. When Knight was dispatched to Rome, in 1527, he was instructed to obtain the signature of the pontiff to two instruments, one containing the dispensation just recited, the other empowering Wolsey, or, if *he* were objected to, Staphilæo, dean of the Rota, to hear and decide the cause between Henry and Catherine. Clement signed both these documents, the former as it stood, the latter with some trifling alterations: he even assented to a farther and subsequent request, for the appointment of a legate, to act in conjunction with Wolsey; and, by the

Several other means were used to bring the see of Rome to a compliance; the agents promised, in their

beginning of the new year, the several bulls were already on their road to England (Burnet, i. Rec. No. iii. iv. v. vi). But Wolsey was beginning to feel the difficulty and danger of his situation. On the one hand, he might be driven to decide on a doubtful point of doctrine; on the other, the queen might deny the jurisdiction of his court, and appeal at once to the supreme tribunal. In either case, the pontiff would revoke the cause to Rome; the decision of the question would be deferred to an indefinite period; and the king would, perhaps, be ultimately disappointed in his expectations, "to the utter and extreme peril of all those, that had intromeddled them in the cause" (Strype, i. Append. 83). To obviate these inconveniences, Fox and Gardiner, both advocates of the divorce, were ordered to proceed instantly to Rome, and to obtain, either by threats or entreaties, the signature of Clement to two instruments, with which they were provided. The first was a dispensation, not dissimilar, in purpose, from that already granted to Knight: the second was called a decretal commission, deciding the point of doctrine, pronouncing authoritatively against the legality of any dispensation for a marriage with the widow of a brother, and, whilst it left the question of fact to the judgment of the legatine court, engaging, on the part of the pope, never to admit an appeal, or revoke the cause to his own tribunal. To the dispensation Clement willingly attached his name: to the decretal commission he resolutely refused to lend the sanction of his authority. It was in vain that the envoys urged him with every topic of persuasion. It was in vain that they reminded him of his obligations to the English crown, that they threatened him with the loss of Henry's friendship, that they promised to conceal the existence of the document from all but the immediate advisers of their sovereign. He replied, that he would never prejudice the interests of an absent party, and that what he could not conscientiously grant in public, he would never accede to in private. At length, instead of the decretal bull, a general commission was drawn up and signed. Wolsey was empowered to call to his assistance any one of the English bishops; to enquire summarily into the validity of the dispensation formerly granted to Henry and Catherine; and "to pronounce, in defiance of exception or appeal, the dispensation to have been valid or invalid, the marriage to have been null or otherwise, according to the nature of the evidence, and the conviction of his own conscience" (Strype, i. App. 46—72. 82. The commission will be found in the Appendix, No. XVI). When Wolsey first read this document, he declared that he was satisfied: but, in a few days, his doubts returned: he saw that his difficulties were rather multiplied than diminished, by the authority now entrusted to him; and he resolved to make at least another effort, to procure the commission which had been refused (Strype, i. App. 78, 79). With this view, he dispatched fresh instructions to the agents at Rome. He wrote to Gregory Casali; he addressed a suppliant letter to the pontiff; he implored the former to solicit, the latter to grant, the only favour that could preserve him from destruction; and he promised, "on the salvation of his soul," so faithfully to conceal the existence of the bull, that neither censure nor suspicion should possibly attach to the conduct of the pontiff (See Appendix No. XVII). Clement was unable to resist the importunity with which he was now assailed. After an ineffectual struggle, he first gave a written promise never to revoke the cause, or reverse the decision of the legates, and then signed the decretal commission, as it had been originally forwarded from England. But he was careful not to entrust it to the doubtful fidelity of Wolsey. That minister, by his anxiety to obtain the instrument, had already betrayed his willingness to use it, for the furtherance of his own ends; and, to prevent its publication, therefore, it was placed in the hands of Campeggio, who was appointed to proceed to England as legate, to be by him read to Henry

master's name, that he was ready to enter into any alliance, for the support of his holiness's pretensions against the emperor, or any other that should attack the rights of the church. "And because money was thought very welcome to persons under duresse, 10,000 ducats were sent to Venice, to be distributed as sir Gregory thought fit. He was likewise commissioned to make farther promises, if he thought it necessary."[1] Again, these agents were put upon trying his holiness after another way, which, indeed, was somewhat extraordinary. They were to enquire of him, whether the evangelical law, in some cases, would not admit of two wives, as there were many instances of such an indulgence in the old law? Again, whether, in case a dispensation was granted for the king and queen both to make religious vows, the king might not afterwards be favoured with a second dispensation from his religious vow, and permitted to marry, the queen still remaining under the obligation of her religious vow? So ingenious is mankind in pleading in behalf of liberty.[2]

Meantime, cardinal Campeggio was preparing for his journey towards England, where king Henry waited with impatience, to have the cause heard and determined. He arrived in London, October 9, 1528. And not long after, viz., November 8, his majesty, having assembled a great number of his nobility, and others,

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and the Cardinal, and then forthwith committed to the flames (Burnet, i. Rec. p. 39). Of this instrument no copy is now extant: but of its existence and purport, though apparently questioned by Dodd, and certainly denied by Le Grand (i. 91—93), there can be no doubt. By Henry himself we are informed that it was "delivered to the legate:" we are assured that it pronounced the marriage between himself and Catherine invalid, if that between Catherine and his brother could, only by "presumption," be proved to have been consummated; and we are farther told, that, by "commandment of the pope, after and because he would not have the effect thereof to ensue, it was, after the sight thereof, imbesiled by the foresaid cardinalls" (Burnet, iii. Rec. p. 60). The engagement not to revoke the cause, or reverse the judgment of the legates, which Dodd characterizes, as "a contrivance never likely to take effect," is in Burnet, iii. Rec. p. 18, and Herbert, 249.—*T.*]

[1] Collier, ii. 28. [See also Burnet, i. Rec. p. 19, 22, 28, and Strype, i. App. 51.—*T.*]

[2] Harpsfield, apud Collier, ii. 29, 30. [It was not, however, of the pope, but of the principal canonists in Rome, that these enquiries were to be made. Ibid. See also Herbert, 252, and Le Grand, i. 108, 109.—*T.*]

at his palace at Bridewell, thought it proper to make a public declaration of his mind, concerning the grand dispute between him and his queen, which, before, had only been muttered in corners, and the subject of private conversation. In a set speech, he endeavours to convince them of the sincerity of his intentions, and justice of his pretensions. "Our trusty and well-beloved subjects," says he, "both you of the nobility, and you of the meaner sort, it is not unknown to you, how that we, both by God's provision, and true and lawful inheritance, have reigned over this realm of England almost the term of twenty years, during which time we have so ordered us, thanked be God, that no outward enemy hath oppressed you, nor taken any thing from us; nor we have invaded no realm, but we have had victory and honour: so that we think that you, nor none of your predecessors, ever lived more quietly, more wealthy, nor in more estimation, under any of our noble progenitors. But when we remember our mortality, and that we must die, then we think that all our doings, in our lifetime, are clearly defaced, and worthy of no memory, if we leave you in trouble at the time of our death. For if our true heir be not known at the time of our death, see what mischief and trouble shall succeed to you and your children: the experience thereof some of you have seen, after the death of our noble grandfather, king Edward IV., and some have heard what mischief and manslaughter continued in this realm, between the houses of York and Lancaster, by the which dissension this realm was like to have been clearly destroyed. And though it has pleased Almighty God to send us a fair daughter, of a noblewoman and me begotten, to our great comfort and joy, yet, it hath been told us by divers great clerks, that neither she is our lawful daughter, nor her mother our lawful wife, but that we live together abominably and detestably in open adultery; insomuch, that, when our ambassage was last in France, and motion was made, that the duke of Orleans should marry our said daughter, one of the chief counsellors to the French king said, it were well done to know,

whether she be the king of England's lawful daughter, or not: for well known it is, that he begat her on his brother's wife, which is directly against God's law and his precept. Think you, my lords, that these words touch not my body and soul? think you that these doings do not daily and hourly trouble my conscience, and vex my spirits? Yes, we doubt not but, and if it were your own cause, every man would seek remedy, when the peril of your soul, and the loss of your inheritance, is openly laid to you. For this only cause, I protest, before God, and in the word of a prince, I have asked counsel of the greatest clerks in Christendom; and for this cause I have sent for this legate, as a man indifferent, only to know the truth, and to settle my conscience, and for none other cause, as God can judge. And as touching the queen, if it be adjudged by the law of God, that she is my lawful wife, there was never thing more pleasant nor more acceptable to me in my life, both for the discharge and clearing of my conscience, as also for the good qualities and conditions, the which I know to be in her. For I assure you all, that, beside her noble parentage, of the which she is descended, as you all know, she is a woman of most gentleness, of most humility, and buxomness, yea, and of all good qualities appertaining to nobility; she is without comparison, as I, these twenty years almost, have had the true experiment: so that, if I were to marry again, if the marriage might be good, I would surely choose her above all other women. But if it be determined by judgment, that our marriage was against God's law, and clearly void, then I shall not only sorrow the departing from so good a lady, and loving companion, but much more lament and bewail my unfortunate chance, that I have so long lived in adultery, to God's great displeasure, and have no true heir of my body to inherit this realm. These be the sores that vex my mind; these be the pangs that trouble my conscience; and for these griefs I seek a remedy. Therefore, I require of you all, as our trust and confidence is in you, to declare to our subjects our mind and intent, according to our true

meaning, and desire them to pray with us, that the very truth may be known for the discharge of our conscience, and saving of our soul; and for the declaration hereof, I have assembled you together, and now you may depart."[1]

Some months passed over before matters could be in a readiness for this great trial. Proper persons were to be pitched upon for managers, and citations issued out for witnesses: but what chiefly occasioned a delay, were the exceptions made by the queen, both against the place appointed for the trial, and the persons that were to sit as judges.[2] She takes the liberty to tell the legates, that England was not a proper place, where she might, in a manner, be looked upon as a stranger, and remote from all her friends; and that her judges stood not so clear from all suspicions of partiality, but there were sufficient grounds to except against them: for, though they were nominated by the pope, yet they were both subjects to the king of England, and tied to him by singular obligations; Campeggio being complimented with the see of Salisbury, and Wolsey, as all the world knew, being entirely a creature of the court. To which she added, that the latter was a professed enemy to her and all her family, and was hugely suspected to be the first promoter of the controversy, and author of all her troubles.[3] Notwithstanding these plausible arguments,

[1] Hall, 754, Ed. 1809.

[2] [This is incorrect. The real causes of the delay rested with Henry, not with the queen. First, the agents were ordered to apply for leave, to have the decretal commission shown to the privy-council (Burnet, i. Rec. No. xvi. xvii.): then an embassy was sent, to make the extraordinary enquiries, already mentioned, on the subject of two wives; and finally, other letters were written, and other agents dispatched, to obtain for the legates a more ample commission, whereon to found their proceedings. See the Records in Burnet, i. No. xxii. xxiii.—*T.*]

[3] [The accounts relative to this speech are strangely at variance. Hall (755) places it *before*, Cavendish (228), Stowe (544), and others, *after*, the opening of the legatine court: while, as regards its substance, no two versions are alike. From a dispatch in Burnet, however (i. Rec. No. xvii. p. 41), we know that it must have formed the queen's answer to an attempt, on the part of the legates, to persuade her to submit to a divorce; that it was, therefore, made almost immediately after the arrival of Campeggio; and that, as it is expressly said, by the legate himself, "*modestè eam locutam fuisse*," the violent language, with which Hall represents her to have assailed Wolsey, could hardly have belonged to it. See also the bishop of Bayonne, apud Le Grand, iii. 190.—*T.*]

which to some appeared sufficient to have induced the see of Rome to have appointed another place, and other judges, yet the pope being willing to show what favour he could to king Henry, the cause went on, in the manner it had been proposed; and, accordingly, the first session began at Blackfriars, May 31, 1529.

The chief managers, on the king's part, were, Dr. Sampson, Dr. Hall, Dr. Petre, and Dr. Tregonnel. 1529 Those that argued for the queen were, John Fisher, bishop of Rochester, Henry Standish, bishop of St. Asaph, and the learned civilian, Dr. Ridley. The king and queen appearing in court according to summons, his majesty repeated the substance of what he had formerly declared before an assembly of his nobility. The queen then rising up, and crossing the court to the king, cast herself at his feet, and thus addressed him: "Sir, I desire you to take some pity upon me, and do me justice and right. I am a poor woman, a stranger born out of your dominions, having here no indifferent counsel, and less assurance of friendship. Alas! wherein have I offended, or what cause of displeasure have I given, that you intend thus to put me away? I take God to my judge, I have been to you a true and humble wife, ever conformable to your will and pleasure; never gainsaying any thing wherein you took delight, never grudging, in word or countenance, or showing a visage or spark of discontent. I have loved all those whom you loved, whether they were my friends, or my enemies. I have borne you children, and been your wife, now these twenty years. Of my virginity and marriage-bed I make God and your own conscience the judge; and if it otherwise be proved, I am content to be put from you with shame. The king, your father, in his time, for wisdom was known to be a second Solomon; and Ferdinand of Spain, my father, accounted the wisest among their kings:—could they, in this match, be so far overseen, or are there now wiser and more learned men, than at that time were? Surely, it seemeth wonderful to me, that my marriage, after twenty years, should be thus called in question, with new invention against me, who

never intended but honesty. Alas! sir, I see I am wronged, having no counsel to speak for me, but such as are your subjects, and cannot be indifferent upon my part. Therefore, I most humbly beseech you, even in charity, to stay this course, until I may have advice and counsel from Spain:—if not, your grace's pleasure be done." She then rose, and, making a low obeisance, withdrew. As she left the court, her attendant informed her that she was summoned to return. "On, on," said she, "it maketh no matter: this is no indifferent court for me; therefore, go forward."

The king, perceiving that she was gone, and fearful of the effect which her words had produced, immediately addressed the court. "Forasmuch," said he, "as the queen is gone, I will, in her absence, declare unto you all, that she hath been to me as true, as obedient, and as comfortable a wife, as I would wish or desire. She hath all the virtuous qualities, that ought to be in a woman of her dignity, or in any other of a baser estate. She is also surely a noblewoman born; her conditions will well declare the same."—"Sir," interrupted Wolsey, "I most humbly beseech your highness to declare before all this audience, whether I have been the chief and first mover of this matter unto your majesty, or no: for I am greatly suspected herein."—"My lord cardinal," said the king, "I can well excuse you in this matter. Marry, you have been rather against me in attempting, or setting forth thereof. And, to put you all out of doubt, I will declare unto you the special cause that moved me hereunto:—it was, a certain scrupulosity that pricked my conscience, upon divers words that were spoken, at a certain time, by the bishop of Bayonne, the French king's ambassador, who had been here long, upon the debating for a marriage to be concluded, between the princess, our daughter, Mary, and the duke of Orleans, the French king's second son. And, upon the resolution and determination thereof, he desired respite, to advertise the king, his master, thereof, whether our daughter, Mary, should be legitimate, in respect of the marriage, which was sometime between

the queen here, and my brother, the late prince Arthur. These words were so conceived within my scrupulous conscience, that it bred a doubt within my breast, which doubt pricked, vexed, and troubled so my mind, and so disquieted me, that I was in great doubt of God's indignation; much the rather, for that he hath not sent me any issue male: for all such issue male, as I have received of the queen, died incontinent after they were born: so that I doubt the punishment of God in that behalf. Thus being troubled in waves of a scrupulous conscience, and partly in despair of any issue male by her, it drove me, at last, to consider the estate of this realm, and the danger it stood in, for lack of issue male to succeed me in this imperial dignity. I thought it good, therefore, in relief of the weighty burthen of scrupulous conscience, and the quiet estate of this noble realm, to attempt the law therein, and whether I might take another wife, in case that my first copulation with this gentlewoman were not lawful; which I intend not for any carnal concupiscence, nor for any displeasure or mislike of the queen's person or age, with whom I could be as well content to continue during my life, if our marriage may stand with God's laws, as with any woman alive;[1] in which point consisteth all this doubt, that we go now about to try, by the learned wisdom and judgment of you, our prelates and pastors of this realm, here assembled for that purpose; to whose conscience and judgment I have committed the charge, according to the which (God willing) we will be right well contented to submit ourself, to obey the same, for our part. Wherein, after I once perceived my conscience wounded with the doubtful case herein, I moved first this matter in confession to you, my lord of Lincoln, my ghostly father. And, forasmuch as then yourself were in some doubt to

[1] [And yet he could instruct Wolsey to say, in his dispatches to Rome, "in hac re insunt nonnulla, quas ob causas, *morbosque nonnullos, quibus absque remedio regina laborat.....regia majestas nec potest, nec vult, ullo unquàm posthac tempore, eâ uti, vel ut uxorem admittere, quodcumque advenerit.*" Burnet, i. Rec. p. 33.—*T.*]

give me counsel, moved me to ask farther counsel of all you, my lords; wherein I moved you first, my lord of Canterbury, axing your license (forasmuch as you were our metropolitan) to put this matter in question; and so I did of all you, my lords, to the which ye have all granted, by writing, under all your seals, the which I have here to be showed."—"That is truth, if it please your highness," quoth the archbishop of Canterbury; "I doubt not but all my brethren here present will affirm the same."—"No, sir, not I," quoth the bishop of Rochester, "ye have not my consent thereto."—"No? ha!" quoth the king, "look here upon this; is not this your hand and seal?" and showed him the instrument with seals. "No, forsooth, sire," quoth the bishop of Rochester, "it is not my hand nor seal." To that quoth the king to my lord of Canterbury, "Sir, how say ye; is it not his hand and seal?"—"Yes, sir," quoth my lord of Canterbury.—"That is not so," quoth the bishop of Rochester, "for, indeed, you were in hand with me, to have both my hand and seal, as other of my lords had already done: but then I said to you, that I would never consent to no such act, for it were much against my conscience; nor my hand and seal should never be seen at any such instrument, God willing; with much more matter, touching the same communication between us." —"You say truth," quoth the bishop of Canterbury, "such words ye said unto me; but, at the last, ye were fully persuaded that I should for you subscribe your name, and put to a seal myself, and ye would allow the same."—"All which words and matter," quoth the bishop of Rochester, "under your correction, my lord, and supportation of this noble audience, there is nothing more untrue."—"Well, well," quoth the king, "it shall make no matter; we will not stand with you in argument herein, for you are but one man." And with that, the court was adjourned to another day; and the queen at once appealed from the legatine court to the see of Rome immediately; in which, we may reasonably suppose, she had her instructions from the

emperor, and other friends abroad.[1] However, this did not put an end to the court; the cause went on; the queen, refusing to appear, was pronounced contumacious, and the managers prepared themselves to discuss the matter of fact, concerning the legality of pope Julius II.'s bull of dispensation. As for the question of right, it was an enquiry belonging to divines, and, on the present occasion, not entered upon by the civilians. What the king's agents alleged was, to prove that the dispensation was either surreptitious, or void in law, upon account of some intrinsic defect. First, they mention the king's declaring against the contract, and breaking it off, when he arrived at an age required for those purposes, which, they suppose, must have been occasioned by, at least, some legal defect in the dispensation. Secondly, Henry and Catherine are said, by the words of the dispensation, to have sued for it, in order to preserve peace and unity between the two kingdoms: whereas, in the first place, there was no danger of the peace being violated, and, in the next, Henry was then not above twelve years of age, and children cannot be thought to be masters of any such projects. Thirdly, that the circumstance of consummation not being expressed in the bull, such an omission did render the dispensation invalid. Fourthly, there were very strong presumptions that the marriage between Arthur and Catherine was consummated. To the first allegation the queen's managers replied, that the king's protesting against the contract, when he came to years of maturity, drew no such consequences after it; all that can be inferred is, that the court of England thought it not convenient to stand to it, at that time: on the other hand, the contract being renewed, and a marriage succeeding, it is a manifest proof that all scruples were overcome (if there were any), both as to the legality and validity of the dispensation. To the second it was

[1] Cavendish, by Singer, 213—223. [The king's speech is abridged by Speed, 1007, 1008. Le Grand has strangely mistaken the "licence to put this matter, in question," which Henry says he had obtained from the bishops, for a declaration against the validity of his marriage with Catherine. i. 135—138.—*T.*]

answered, that there was no occasion for persons, during their minority, to answer to such matters personally, but only by their proxies, who, in all such cases, stand as guarantees, till the contracting parties become capable, either to ratify or annul such engagements. To the third they returned this answer, that, whatever bull the king's party might produce, they had an authentic bull of the said pope Julius II., dated 7 Calend. Januar. ann. 1503, which contained the clause *forsan cognitam*. Then, lastly, as to the presumptions of the marriage being consummated between Arthur and Catherine, they were idle and foreign conjectures, and could be of no force in the present case. To which they added, that the queen, a lady of unquestionable virtue and reputation, confidently asserted her virginity in the king's hearing, who had nothing to allege against it. This is the substance of what was said on both sides. The sessions were continued till July 23, when the court breaking up without proceeding to sentence, it was adjourned till the first of October.[1]

During this time, the queen had taken care to have her appeal signified to the pope, who considering the dignity of her person, the reasons she alleged to have the cause removed into a higher court, together with the emperor's importunity, the honour and interest of whose family was at stake, his holiness thought it nothing but

[1] [The proceedings at the trial have been published by Herbert, 261—278; and from them it appears that Dodd is not altogether correct, in his account of what passed before the legates. 1st. The queen having appealed to Rome, refused to appear in the legatine court, either personally, or by her attorney. She returned no answer, therefore, to the allegations of the other side. 2nd. Only one bull was produced; and, in that, the circumstance of consummation *was* expressed,—"illudque carnali copulâ forsan consummavissetis." Hence no omission of this kind could have been pleaded. 3rd. The other instrument, which Dodd calls a bull, was, in reality, a *breve*, dated on the same day as the bull, and containing, not, indeed, "the clause *forsan* cognitam," but a positive assertion that the marriage with Arthur had been consummated,—"illudque carnali copulâ consummaveritis." The real objection to the validity of the bull was, that it had been granted on the false pretence of preserving peace between the two kingdoms: but the breve was differently worded, on this subject; and it was, to repel the argument founded on the expressions of the bull, that a copy of the breve was originally produced by the queen. On the authenticity of the breve, see Lingard, iv. 480, 481. Both instruments will be found in the Appendix, No. XVIII.—*T.*]

common equity to hearken to her petition. This had already been privately notified to one, if not to both, of the legates; and when, therefore, at the close of the last session, judgment was demanded, on the part of the king, Campeggio at once acquainted the court with the queen's appeal, and resolutely refused to proceed, until he should have consulted the pontiff. "I will give no judgment herein," said he, "until I have made relation to the pope of all our proceedings, whose counsel and commandment in this case I will observe. The matter is too high and notable, for us to give any hasty decision, considering the highness of the persons, and the doubtful allegations; and also whose commissioners we be, under whose authority we sit here. It were, therefore, reason, that we should make our chief head of counsel in the same, before we proceed to judgment definitive. I come not so far, to please any man for fear, meed, or favour, be he king or other. I have no such respect to persons, that I will offend my conscience. I will not, for favour or displeasure of any high estate, or mighty prince, do that thing that should be against the law of God. I am an old man, both sick and impotent, looking daily for death. What should it then avail me, to put my soul in the danger of God's displeasure, to my utter damnation, for the favour of any prince, or high estate in this world? My coming and being here, is only to see justice ministered according to my conscience, as I thought thereby the matter either good or bad. And forasmuch as I do understand (having perceivance by the allegations and negations in this matter laid for both the parties) that the truth in this case is very doubtful to be known, and also that the party defendant will make no answer thereunto, but doth rather appeal from us, supposing that we be not indifferent, considering the king's high dignity and authority, within this his own realm, which he hath over his own subjects (and we being his subjects, and having our livings and dignities in the same, she thinketh that we cannot minister true and indifferent justice, for fear of his displeasure); therefore, to avoid all these ambigui-

ties and obscure doubts, I intend not to damn my soul for no prince or potentate alive. I will, therefore, God willing, wade no farther in this matter, unless I have the just opinion and judgment, with the assent of the pope, and such other of his counsel, as hath more experience and learning in such doubtful laws, than I have. Wherefore, I will adjourn this court, for this time, according to the order[1] of the court in Rome, from whence this court and jurisdiction is derived. And if we should go farther than our commission doth warrant us, it were folly and vain, and much to our slander and blame; and we might be accounted, for the same, breakers of the order of the higher court, from whence we have, as I said, our original authorities."[2] He then closed the proceedings, and pronounced the court adjourned until the 1st of October. In consequence of this, pope Clement VII. issueth forth a brief of avocation of the cause, from the legatine court in England to the consistorial court at Rome, where Paul Capisucci, master of the rota, was to preside under his holiness; and, whereas it was signified by the queen's party, that the king of England would not answer to any such appeal, the brief takes notice of this rumour, and threatens the king with excommunication, if he presumes to proceed to another marriage, before the cause was decided in the consistorial court; and then the brief is ordered to be fixed upon the great church doors, at Bruges, Tournay, and Dunkirk.[3] In the interim, his holiness sends letters to both the legates, to keep the king in temper: they were to acquaint him, that it was common equity to hearken to

[1] [i. e. *usage*. It was the custom of the rota to adjourn, at this period, for the summer vacation (Herb. 278). I notice this, because Dodd, in the few lines, which I have found it necessary to omit, erroneously supposes the word 'order' to refer to some *mandate*, already issued by the pope.—*T.*]

[2] Cavendish, 229—231

[3] [Dodd has here mistaken the breve of inhibition, which forbad Henry to contract another marriage, until the decision of his present cause, for that of avocation, which recalled the powers of the legates, and summoned Henry and the queen to appear, in person or by proxy, before the papal tribunal in Rome. The latter was dated on the 15th of July, 1529, and arrived in England, on the fourth of the following month (Le Grand, iii. 336; Burnet, i. 73, 75): the former, which recited the purport of its predecessor, was not signed until the seventh of March, 1530. It will be found in the Appendix, No. XIX.—*T.*]

the queen's appeal, and that the promise made, that the cause should be determined by the legates, was inclusive of such conditions as were usual in all courts of judicature, which never precluded the right of appealing to a superior court.[1]

This great controversy seemed now to be partly at a stand. The disappointed party gazed about, apprehensive of the issue; nor could any one guess whether or no king Henry designed to answer to the appeal. However, by sending the earl of Wiltshire and other agents to meet the pope at Bologna, he made a show as if he would. They did not, indeed, carry themselves as if they had any instructions from their master, to tender an express submission to the consistorial court. Their commission was, to vindicate the purity of Henry's motives, to offer the pontiff a valuable present, and to impress on him the necessity of doing justice to a prince, to whom the Roman see was already so deeply indebted. Clement replied, that he would hear the cause as soon as he returned to Rome, and that justice should assuredly be done:[2] but new difficulties being started every day, little or no progress was made in the affair: on the contrary, both parties were securing their outworks, and studying how to defend themselves, in case of an attack; and, as the pope, by his brief, had forbidden the king to take another woman for his wife, without leave from the holy see, so the king published an order, that no decree coming from Rome should be received in England.[3] This looked like declaring war, or, at least, it was a manifest token of an exasperated mind, which was farther discovered by the treatment queen Catherine met with, in the following year, when she was ordered to quit Windsor, and withdraw to some one of the king's manor-houses.[4]

1530 MAR. 7. SEPT. 19.

What king Henry went upon, in the meantime, in order to accomplish his designs, was, to obtain the subscriptions of what learned men he could draw in, to favour his cause. This, he imagined, would put a good

[1] Herbert, 283. [2] Hall, 768, 769. [3] Herbert, 330. [4] Ib. 354.

gloss upon his proceedings; or, if he designed to answer the queen's appeal, might make a considerable figure, and be of some weight in the consistorial court. Upon this view, he resolves to propose his case to the universities, both at home and abroad. When it was proposed to the university of Oxford, the members were hugely divided, as to the manner of proceeding, till, by one way or other, the point was referred to thirty-three divines, some whereof were doctors, others were bachelors; who, after several consultations, concurred in the opinion, that the marriage between king Henry and queen Catherine was void; and, accordingly, the seal of the university was put to their decree, April 8, 1530.[1] But this was done neither with the consent of the whole, nor without suspicion, not to say visible marks, of unfair dealing. "The historian, Wood," says Collier, "complains of this management, and takes the freedom to say, the privileges of the university were plainly over-ruled, and that the excluding the masters from their right, in voting, made the decree of no force; that several members of the university, not thinking themselves bound by this decision, preached openly against the divorce."[2] Dr. Burnet, in his account of these matters, taxeth Mr. Wood with being too credulous, and that he drew his informations from Dr. Sanders, an exasperated writer of the church of Rome: but Mr. Collier undertakes to justify Mr. Wood's account, from lord Herbert's records, which plainly make it appear, that the king threatened the university, and that their statutes were violated, by excluding many who had a right to vote. "The king," says lord Herbert, "sent his confessor, Longland, to the university of Oxford, to procure their confirmation of his divorce from Catherine. The king joined entreaties and threats; the chancellor, Warham, advised them to follow the truth; here *seniores facile assenserunt regi*, but the younger sort (regent masters) flatly denied. The king sent them more threats, but moves them not; so that, at last, the artists, or regent masters, although

[1] See Appendix, No. XX. [2] Collier, ii. 53.

by the statutes nothing can be done without them, are excluded, and the matter committed only to divines, who determined for the king, who punished the regents."[1] The substance of this account is confirmed by the king's letter to the doctors and bachelors of divinity; wherein, speaking of the artists, he declares, "that, provided they held on in their obstinacy, and gave their sovereign any farther trouble, they should quickly be made sensible of the ill consequence, and understand it was not their best way, to provoke a hornet's nest."[2]

When the point came to be debated in the university of Cambridge, some art was made use of, before the king could obtain a subscription. Gardiner and Fox (who were sent thither purposely to manage the members), when they found matters could not be carried to their liking in a full congregation, with great difficulty brought the thing within the compass of a small committee of twenty-nine persons, viz. Dr. Buckmaster, the vice-chancellor, ten doctors, sixteen bachelors, and the two proctors. Many of the university foresaw the danger of this method, and, therefore, they moved the question, whether or no it should be followed. "The second time the question was put, the votes were equal. The third time, by prevailing with some of the contrary opinion to quit the house, the order for a committee passed. Gardiner and Fox, having gained this point, gave the king an account, and sent up the names of the committee, acquainting the king with the good condition of the affair, and that they hoped, in a short time, to procure a majority; which happened accordingly. And thus, with a great deal of difficulty, the king gained his point, and the marriage was declared unlawful."[3]

The next attempt king Henry made was upon the universities in France, where he met also with much opposition, though he had the king and ministry on

[1] Apud Collier, ii. 53.

[2] Collier, ibid. See also Burnet, iii. Rec. 25—28. Wood's account of the manner, in which the decree was obtained, will be found in the Appendix, No. XXI.

[3] Collier, ii. 53, 54. [See also Burnet, i. Rec. 79—81, and iii. Rec. 20—24. The Cambridge decree I subjoin in the Appendix, No. XXII.—*T.*]

his side. The faculty of divinity of Paris was far from being unanimous. Natalis Beda, an eminent doctor, headed a strong party against the divorce, and was opposed by Monseigneur du Bellay, bishop of Bayonne, one who interested himself very much in plodding for king Henry. When they came to number voices, there were fifty-three for the divorce, and forty-two against it, while some stood neuter. In the conclusion, the decree went for the divorce, and was recorded, July 2, 1530.[1] The rest of the universities of this kingdom subscribed, in like manner, in favour of the king, viz. Orleans, April 5, 1529; the faculty of canon law of Angers, May 7, 1530; the faculty of canon law, in Paris, May 23, 1530; Bourges, June 10, 1530; Toulouse, October 1, 1530. But here it is to be observed, that some of these universities expressed their submission to the church; others mentioned in their decree, that the marriage with Arthur was consummated; and the faculty of divinity of Angers, in opposition to that

[1] [From Dodd's words, in this passage, the reader might naturally conclude, that the decree in favour of the divorce, though resisted by a powerful opposition, was, nevertheless, adopted and passed by a real majority of the university of Paris. The reverse, however, is the fact. For more than two months, from the eighth of June to the fourteenth of August, the members continued to assemble and deliberate: the question was repeatedly put to the vote; and, with the solitary exception of the division which occurred on the second of July, the result was, in every instance, unfavourable to the wishes of the king. On that day, however, the dexterity of Henry's friends contrived to secure a majority in his interest; and the decree was passed by a plurality of sixteen, or, as others say, eleven, voices. It was instantly entered among the acts of the university. To prevent its abrogation, the register, containing it, was carried away by the bishop of Senlis; and the members, when they afterwards assembled, for the purpose of erasing it, were obliged to content themselves with a prohibitory vote, forbidding any one of their body to decide in favour of the divorce. See the correspondence in Le Grand (iii. 458—467, 492—495), and the testimony of Du Moulins, in Epist. Poli (i. 238, Ed. 1744). As an illustration of the means, employed by the French government, to obtain a decision favourable to Henry, I may observe, that to the prudence of the president alone were Beda and the other leaders of the opposition indebted for their escape from prosecution. "Le Roy," says du Bellay, "a decerné commission, pour informer des abus et insolences du dit Beda et ses consorts, à la requeste et instance de monsieur le comte de Vilschire." But, adds the president, "quant au fait de l'information, qu'on a ordonné estre faite pour cette affaire, il me semble que l'on la doit faire surseoir, jusques à ce que ledit seigneur aura entendu par moy comment l'affaire a esté conduite, et que la dite information pourroit, par avanture, plus nuire au dit roy d'Angleterre, que profiter."—Le Grand, iii. 474, 481.—*T.*]

of the civilians, expressly declared against the divorce.[1] As to the universities in Italy, the king was in great hopes of succeeding, especially in those of the Venetian territories, where he had zealous agents, both English and Italians, and a good bank of money to be employed, where any mercenary divine was disposed to take the bait. Dr. Richard Crook was the chief person employed in those parts. How he managed, we find in one of his letters to king Henry, in which he acquaints him, that he had paid twenty-three crowns to friar Thomas, for his opinion, who, notwithstanding, had deserted him, and declared against the divorce. He also makes mention of an eminent divine, called Raphael, who, according as he had met with encouragement, had changed sides, being both for and against the king. Then he tells the king of one Ambrose, a person of note, in the university of Padua, who had twenty crowns from him, and two friars, who had seventy-seven crowns, which they accepted of as a premium, for the pains they took in bringing over that university to the king's party.[2] By these, and such like methods, Bologna subscribed for the divorce, June 10, 1530, and Padua, July 1, 1530.

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[1] See their decision, together with the decisions of the other French universities, in the Appendix, No. XXIII.

[2] Apud Collier, ii. 58. That there was foul play in gaining the universities, appears from the parliament's declaration, in queen Mary's reign, "that the seals, as well of certain universities, in Italy and France, were gotten, as it were for a testimony, by the corruption of money, with a few light persons, scholars of the same universities; as also the seals of the universities of this realm were obtained, by great travel, sinister working, secret threatenings, and entreatings of some men of authority, specially sent, at that time, thither, for the same purposes." Stat. 1, Mar. Sess. 2, cap. 1, apud Collier, ii. 58. [Besides the letter, mentioned in the text, there is still extant another from the same writer, Crook, in which, after acquainting Henry with his success at Padua, he adds, "if that I had, in time, been sufficiently furnished with money, albeit I have, beside this seal (the seal of the university), procured unto your highness an hundred and ten subscriptions, yet it had been nothing in comparison of that, that I might easily, and would, have done; and, at this hour, I assure your highness that I have neither provision nor money, and have borrowed an hundred crowns, the which also are spent about the getting of this seal" (Burnet, i. Rec. 82). The same is asserted by Cavendish. "There was," says he, "inestimable sums of money given to the famous clerks, to choke them, and, in especial, to such as had the governance and custody of their universities' seals. Insomuch as they.....obtained of them the universities' seals, the which obtained, they returned home again furnished for their purpose:"—p. 206, Ed. Singer. See also Epist. Poli, i. 238; and Sleidan, lib. 9, p. 140.—*T.*]

Yet, after all, neither these nor any other of the foreign universities spoke plain, as to the question in debate; for, as I hinted before, "the Sorbonne, and the faculty of canon law at Paris, the universities of Angers and Bourges, expressly suppose the marriage consummated between Arthur and Catherine, which, as has been already related, the queen positively denied. This she did before the king and court, at Blackfriars, and appealed to his highness for the truth of it. Upon the whole, therefore, we cannot rightly reckon these three universities, on the king's side, because the matter of fact, upon which they founded their resolution, was denied by the queen. Farther, it is probable the other universities, in Italy and France, went upon the supposal of the marriage being consummated between Arthur and Catherine; it is not improbable, I say, they went upon this supposition, both by the strong expression in their censure, and because the reason of the Levitical prohibition could not otherwise so much affect this marriage."[1]

Now, as for the other universities of Italy, with those of Spain and Germany, king Henry could obtain nothing from them, to countenance his proceedings. Even Melancthon, and the Lutherans in Germany, who wanted not will to oppose the see of Rome in all they could, were very open in declaring against the divorce. And Crook, in his letter to the king, complains, "that all Lutherans be utterly against your highness in this cause, and have letted as much with their wretched power as they could and might, as well here (Venice) as in Padua and Ferrara, where be no small companies of them."[2]

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[1] Collier, ii. 54. For the opinions of the universities of Bologna and Padua see Appendix, No. XXIV.

[2] Burnet, i. Rec. 82, 88. [The native reformers were equally opposed to the divorce. Tyndal wrote his "Practice of Prelates" for the express purpose of discussing the question, "Whether the king's grace may be separated from his queen, because she was his brother's wife?" The treatise is little more than a furious invective against the pope, and against every person connected with him: yet, after a long argument, in opposition to the advocates of the divorce, he thus concludes:—"I did my diligence a long season, to know what reasons our holy prelates should make for their divorcement, but I could not come by them: I searched what might be said for their part, but I could find no lawful cause of myself, by any scripture that I ever read: I communed with divers learned men of the matter, which also could tell me no other way than I

So that, among all the reformers, only Zuinglius, Œcolampadius, and a few sacramentarians, asserted the nullity of the king's marriage; nor could all the pains, which Cranmer and sir Richard Morison took in Germany (whither they were sent to tamper with the Lutherans), prevail upon those foreigners to promote the cause. Collier, indeed, insinuates, that the Lutherans had the same opinion of the case with those of the king's party, but were over-awed by the emperor; in which he pays no great compliment to those zealous reformers, and is full as bad an apologist, in saying nothing for them by way of excuse, as Dr. Burnet is, when he undertakes to reconcile their behaviour to their belief.[1]

If the king's party were so active abroad, you may be sure nothing was omitted at home, that was capable of giving the cause the advantageous turn of popularity. To this purpose, while some were employed in gaining subscriptions from universities, a great many of the nobility and clergy addressed his holiness, in a common letter, dated July 30, 1530, wherein they represent the king's case with all the advantages that attended it. It sets forth, that the circumstances of the succession were very pressing; that several universities had declared in the king's favour, with many other methods for clearing the point, and settling the king's conscience; and, what ought to be considered in its place, that the obligations of the see of Rome towards the English nation were so very extraordinary, that there was no little ingratitude in refusing to make some return. Then they seemed to proceed to threats, and that they knew where to find relief, in case his holiness would not yield to their request: *nostri nobis curam esse relictam, ut aliunde nobis remedia conquiramus.* But then, again, they come to temper, and close their remonstrance in an humble and supplicatory style, which signifies, that they did not make a demand, but a request: *ne claudantur*

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have showed.....Wherefore I could not but declare my mind, to discharge my conscience withal; which thing I had done long since, if I could have brought it to pass."—Tyndal's Works, i. 477, Ed. Russell, 1831.—*T.*]

[1] Collier, ii. 55, et seq.

paterna viscera tam obsequentibus, tam benevolis, tam morigeris filiis. The subscribers to this letter were, the two archbishops, four bishops, two dukes, two marquises, thirteen earls, twenty-five barons, twenty-two abbots, eight doctors of divinity, with several knights.[1] Pope Clement, having received this remonstrating letter, returned a full answer, September 27, the same year; the substance whereof was, that his holiness was of opinion, they had been somewhat too unguarded, and too violent in their expressions, which nothing could excuse but the zeal and affection they had for the king their master; that he acknowledged many personal obligations he had to his present majesty, yet he thought they exceeded, when they seemed to tax him with ingratitude, on that account. Indeed, the queen's party had charged him with partiality in her disfavour, and he could not but own himself guilty, in some measure, when he appointed judges of the king's own nominating, and that the cause should be tried, not in an indifferent place, but in England, and under his own eye; and if afterwards he hearkened to the queen's appeal, it was what common equity required, out of charity to both parties, and that nothing might be done with precipitation; that all the princes in Europe would have complained of him, had he not taken this method; that he had hitherto put off the decree of the consistorial court, purely to pleasure the king; and the delay, many complained of, was occasioned by his majesty, who had not sent his agents to Rome to attend the cause. As to the opinion of the universities, he said he had only heard of them by accident; they were never communicated to him through a proper channel, nor did he know in what manner they had proceeded in their decisions. He owns the many obligations the see of Rome had to the English, but hopes, that neither he, nor any in his place, will be obliged to purchase the continuation of those favours, at the expense of honour and conscience. He knew what was due to kings, but that much more was due to

[1] See Appendix, No. XXV.

the king of kings: *multum serenitati suæ debemus, tamen in judicando pluris facere cogimur eum per quem reges regnant.* He should be glad to see the succession of the royal family secured by an heir-male, but he was not God, to give one; much less was it to be sought by unlawful methods. As to their threats, he cautions them to be moderate and discreet; and that, in the meantime, he will endeavour to bring them to temper by his patience. In fine, he had so good an opinion of the king of England, that he was inclined to think their remonstrance had not been communicated to him, nor that it would be agreeable to his majesty.[1]

By this common letter from many of the nobility and clergy, it appears how the generality of the people, especially those of the court party, were inclined as to the divorce. But, to give still a greater lustre to the cause, it had been thought convenient that both houses of convocation should make it the subject of their enquiry, and make a decree for or against the divorce. The king had found no great difficulty in gaining his point, upon this occasion. Care was taken that the clergy should have such representatives, as would fall in with the court measures; so that, when the first question was proposed, viz., "whether marrying the relict of a brother deceased, after the consummation of marriage, was prohibited by the law of God, and out of the reach of papal dispensation?" the majority, on the king's side, were two hundred and sixty-three against nineteen. When the other question, concerning matter of fact, was put, viz., "Whether the consummation of marriage between Arthur and Catherine was sufficiently proved?" the cause being referred to persons learned in the canon law, there was a majority of forty-seven for the consummation, against six that opposed them.[2]

Apr. 5.

[1] See Appendix, No. XXVI.

[2] [Rymer, xiv. 455. There is a difference of opinion, as to the time, at which this transaction occurred. Collier and Carte place it in the present year: Burnet and Dr. Lingard in 1533. All, however, that appears, from the instrument in Rymer, is, that the convocation, which assembled in 1529, had continued, by successive adjournments, to sit, until 1533; that on the fifth of April, in the

By these methods, king Henry became successful in prosecuting the divorce, among several bodies of learned men; and, had there been no superior tribunal, nothing could have been carried on more effectually towards the accomplishing of his design. But, as all these learned men owned a subjection to the see of Rome, and king Henry himself had not as yet withdrawn himself from its obedience, all the decrees, hitherto made in favour of the divorce, could have no force, till the pope had confirmed them. This king Henry and his party were very well apprised of. Their business, therefore, in the next place, was, to bring his holiness to a compliance; which they endeavoured, by distressing the other party, and depriving the see of Rome of several privileges, and branches of jurisdiction, which it was accustomed to enjoy. Besides renewing the ancient laws against appeals to Rome, and the orders which had already been issued out, that no bull, brief, or other decree of any kind, coming from the pope, should be received by any of the king's subjects, without his express approbation, his majesty likewise, to show his resentment, began to threaten the holy see with taking away annates, or first fruits, Peter-pence, and such like pensions paid to the pope, and, by degrees, put a stop to them. Now also the great cardinal Wolsey was brought into disgrace, and publicly prosecuted for holding a legatine court, in the pope's name (though he had the king's hand and seal to authorize what he did), and died under the stern frowns of the court, and almost within sight of the block. He, and all the bishops and clergy in the kingdom, were found guilty of a premunire, and were obliged to redeem the loss of all their substance, by an exorbitant composition. Not to enter upon the legality of this proceeding, it was an indication of king Henry's tem-

latter year, its acts were searched, at the request of Henry; and that it was then discovered, that the decision in question had lately ("nuper") been pronounced (Rymer, xiv. 454). The same remark is applicable to the vote of the convocation at York, which Collier, and, after him, Dr. Lingard, assigns to the thirteenth of May, 1533. It was on that day, that the acts were searched, and that the votes were declared, in a public instrument, to have been "lately" taken (Idem, 474). For the form of summoning the convocation at this time, see Appendix, No. XXVII.—*T.*]

per, and that he was resolved to stretch the laws as far as they would go, to the prejudice of the see of Rome. But of these matters I shall have an occasion to speak more at large hereafter.[1]

[1] [In the Appendix, No. XXVIII, will be found a despatch from Dr. Bennet to the king, containing some additional information, on the subject of Henry's proceedings during the present year. In January, Bennet had accompanied the earl of Wiltshire, in his mission to the emperor and the pope, at Bologna. He was afterwards employed to continue the negotiation with Clement; and, when the latter returned to Rome, was ordered to proceed, in quality of envoy, to that city. His instructions were, to act in concert with the bishop of Tarbes, now elevated to the dignity of cardinal; to solicit a commission either for the prelates of Canterbury, London, and Lincoln, or, if that were refused, for the clergy of the archdiocese of Canterbury, empowering them to hear and decide the cause of the divorce, in England; and, supposing this request to have failed, to enquire whether, in the event of Henry's taking the matter into his own hands, and deciding it according to the dictates of his conscience, the pontiff would engage to abstain from all interference, either by inhibition, interdict, or otherwise. If the answer were unfavourable, he was then to seek an extension of time, and to demand that all farther proceedings should be stayed for the present. Clement listened to the application, and replied at once to the demand. To the commission he had no objection, provided the queen's consent could be obtained. But he would enter into no engagement as to the future. The queen had appealed to his tribunal: justice and duty alike required that he should listen to her; and neither king nor emperor should induce him to swerve from the line, which that justice and that duty prescribed. On the subject of delay, he would willingly gratify the king. Still, it was necessary to consult the other side. He had, therefore, already written to the emperor, stating the wishes of the English monarch, and requesting his assent to such an arrangement; and, as he should probably receive an answer to his letter within the space of three weeks, he would, to manifest his affection for the king, suspend the progress of the suit for that term. It may be remarked, that this forms a necessary accompaniment to the three letters of De Raince, printed in Le Grand, iii. 509—515.

There is another subject, incidentally mentioned in Bennet's despatch, to which I will here briefly advert. The reader will recollect the enquiries formerly proposed by Henry, as to the possibility of obtaining a dispensation to have two wives. These enquiries, as I have already remarked, were addressed, not to the pope, but to the canonists at Rome. The suggestion, however, became known; Clement resolved to turn it to advantage; and, in one of his first conversations with Bennet, casually mentioned the expedient, as a matter not undeserving of consideration. On these facts, bishop Burnet, assisted by the more than doubtful authority of Gregory da Casali, has founded a charge against the pontiff, of a willingness to countenance polygamy (i. 90). The present despatch, however, satisfactorily disposes of the accusation. It shews that it was to Bennet, not to Casali, that Clement mentioned the subject; that it was proposed for the purpose either of amusing Henry, or of raising an argument against him; and that, instead of admitting, the pope distinctly denied, the validity of any dispensation, which should pretend to authorize a marriage with two women at the same time. Casali's letter, which has supplied Burnet, and, more recently, Mr. Hallam (Constitut. Hist. i. 73, note), with the grounds of his accusation, is in Herbert, 330. From a comparison of dates, it is not improbable that the writer had heard something of the conversation between Clement and Bennet, and, without knowing the details, had hastened to communicate it to Henry, as an evidence of his zeal in the service of that monarch.—*T.*]

Most part of the year 1531 being spent, without any progress in the controversy of the divorce, and the king's late proceedings against the see of Rome rather prognosticating a farther rupture, than an agreement, this induced the French to interpose, and appear as mediators.[1] For, though hitherto they had

[1] [I may here briefly sketch the proceedings at Rome, during this period. The delay of three weeks, mentioned in the preceding note, had been gradually extended to the commencement of the new year (1531), when Clement, apprehensive that Henry would seek a decision from some tribunal of his own erection, published an inhibitory breve, forbidding any person, or court whatsoever, to give sentence in the cause of the divorce.—(See Appendix, No. XXIX). This proceeding encouraged the imperialists to press, with renewed importunity, for the decision of the pope. But the partialities of Clement were secretly inclined to Henry: the remonstrances of the French ambassador were added to those of the English agents, to procure a suspension of the judgment; and, on the 1st of April, after another three months of delay, de Raince was enabled to write to the grand master of France, that no sentence would certainly be pronounced until the beginning of the following June. (Le Grand, iii. 515—524). In the meantime, the pontiff, who had ineffectually summoned Henry to appear in Rome, had also requested him to appoint an agent, with the title of excusator, who might attend the consistory, and show cause for the absence of his master. Instead of complying with this request, the king consulted the university of Orleans, the faculty of law, and other learned bodies in Paris, on the subject; and by them was assured, 1st, that he was not bound to appear, either in person or by attorney, in Rome, but that the cause ought to be heard and decided in some safe place, by judges acceptable to both parties: 2nd, that every subject, in virtue of his allegiance alone, was sufficiently authorized to act as excusator, on behalf of his sovereign; and that it was, therefore, unnecessary to furnish any person with specific powers for that purpose (Rymer, xiv. 416—423). This answer arrived, from the university and the Paris advocates in June, from the faculty of law in September: it was followed, during the autumn, by Bennet, who returned from Rome; and, for some time, the progress of the suit seems to have been wholely suspended. At length, however, Henry resolved to make another attempt. At the beginning of the following year, he again despatched Bennet, and, after him, Bonner and Sir Edward Carne, to the pontiff (Herb. 363, 364; Le Grand, i. 226). Carne, who had no written authority, was to act as excusator (Le Grand, i. 220); Bonner was furnished with an informal proxy, whose object does not appear; but Bennet was, by every possible expedient, whether of bribes or entreaties, to prevent a decision of the case at Rome, and to procure a commission from the pope, for trying the cause elsewhere.—(See Appendix, No. XXX). By the beginning of February, the three agents had arrived at their destination. Carne immediately demanded to be admitted as excusator, and was opposed by the imperialists, who maintained, first, that his powers were insufficient; secondly, that no valid reason could be assigned for the absence of his master. On these points, a long and disedifying discussion ensued. Week after week, for nearly five months, the consistory met, to hear the arguments of counsel. As the case proceeded, the warmth and violence of the several advocates increased: the pope, to escape from the disorder, was frequently obliged to dissolve the meetings abruptly; while the populace of Rome, attracted by the novelty of the scene, flocked to the pleadings, as they would to the entertainment of a theatre. At length, in July, Clement found it necessary to terminate these extraordinary proceedings.

been great sticklers for the divorce, when they were in hopes thereby to bring about a match between king Henry and a princess of France, yet, when they came to be fully convinced that Anne Boleyn was the person made choice of, their zeal and politics drew them another way; but so, that they would omit nothing towards keeping up a good understanding with the king of England. It had been agreed between the two kings, that they should have an interview. When they were met, which was in October, 1532, among other matters, something was proposed, 1532 tending towards a reconciliation between king Henry and the see of Rome; and it was agreed, that the two French cardinals, Tournon and Grammont, being soon after to go to Rome on the French king's affairs, should, at the same time, use their endeavours with his holiness, in favour of the king of England. The general method proposed was, that, whereas a meeting and conference was, in a little time, to be appointed between the pope and the king of France, it would be very convenient, if the king of England would contrive to be one at that conference, where, face to face, they might talk over what related to that great and tedious contest, which had been between them. When the two French cardinals arrived at Rome,

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Without professing to deny the right, he declined, under the circumstances, to be guided by the arguments, of the excusator. He, therefore, decided that Carne should not be received in that capacity; but, at the same time, he availed himself of the pretext, that the vacation was now at hand, and adjourned the farther hearing of the cause until November. He then wrote to Henry, and accompanied his letter with another from the college of cardinals. He entreated the king to appear, by his attorney, in Rome; he engaged, in that case, to grant a commission for taking the depositions, and hearing the cause, in England; and he promised to reserve to himself only the final judgment, which must necessarily be pronounced by the Roman see (Le Grand, i. 226—230; Burnet, i. Rec. 104—112). But Henry, who still looked to the power of bribes, or of intimidation, for success (see Appendix, No. XXXI.), scornfully rejected these proposals. When November, therefore, arrived, he was again summoned to appear; and, in reply, Carne immediately protested, in the name of his master, against the validity of the summons. Clement, however, at once rejected the protest: the proceedings were renewed; and it was only in compliance with the entreaties of the French ambassadors, mentioned presently in the text, that a definitive sentence was not then pronounced.—Le Grand, i. 235.—*T.*]

they dissembled not the case with his holiness: they told him plainly, that they had observed such dispositions in the king of England, that they believed he would make an entire breach with the see of Rome, if he did not obtain a divorce; wherefore, they earnestly begged of his holiness, that, all politic considerations laid aside, he would immediately grant a divorce, provided the law of God would permit it. What the French obtained, by their mediation, was, only to have the time prolonged, before a decree should be given, whereby king Henry might have leisure to consider the matter, and not push himself upon any rash measures.[1]

But, as it soon appeared, the king was gone too far to be recalled; for Anne Boleyn had made an entire conquest, and enjoyed all the advantages of a queen, except title and ceremony. He had created her marchioness of Pembroke, and carried her along with him, to see and be seen at the late famous interview in France. "He grows every day more open in his carriage towards her; takes her along with him in his progress; dines with her privately in her chamber, and causeth almost all addresses to be made by her, in matters of the greatest moment."[2] However, it was a general surprise, when it came to be understood how near she was being the king's wife; for, either while she was with the king, at Calais, or soon after their return into England, they were privately married, by Dr. Roland Lee, one of his majesty's chaplains, the king having first assured him, that the pope had granted him a bull of divorce from queen Catherine. "This may seem an unusual step, because the divorce was still undecided; but the king broke through this difficulty."[3] It was commonly said that she was married, November 14; but Burnet tells us, that the day was given out wrong on design; yet he leaves the reader to guess at the design, which, I sup-

[1] Herb. 367, 368; Le Grand, i. 234.
[2] Heylin, 260, 261.
[3] Collier, ii. 71. [See also Sanders, de Schism. 83, Edit. 1610; Le Grand, ii. 110; Heylin, 176.—*T.*]

pose, must have been, that the king might still amuse the world with the imagination, that a trial of the cause was still to be expected.[1]

Now, though the king, by marrying Anne Boleyn, had taken a short way of putting an end to the controversy, yet neither his friends nor his enemies could be truly satisfied with the method. His enemies might attack him for disobeying the church and see of Rome, from whence he waited for a decree, and hitherto made no express disclaim of the authority. His friends could make no apology for him, who had neglected those rules, which they thought necessary for his justification. However, to put a gloss upon the matter, and make the best of such irregular proceedings, a way was contrived to make this marriage pass upon the world, as a legal and canonical ceremony, though, indeed, it was an unparalleled instance of rashness and precipitation. Let us see, then, how they went about, to rectify this blunder. The design, in the main, was, to continue the trial about the divorce, and, at length, have it determined among themselves, without any regard to the see of Rome. The death of archbishop Warham, which happened, August 23, 1532, and under whom the controversy moved very slowly, gave the king an opportunity of embracing the method they had chosen. "And, to succeed the better in this affair, a proper person was to be pitched upon, for the see of Canterbury; a person of character and resolution, and not over obsequious to the see of Rome. These qualities seemed to concur in Dr. Cranmer."[2] This gentleman was a divine of Cambridge, where he was fellow of a college, but, happening to marry, lost his fellowship. His wife dying, he betook himself again to an academical life. When the controversy about the king's marriage was first discoursed of, Cranmer was tutor to two young gentlemen,

[1] [The real date of the marriage was January the 25th, 1533 (Stowe, 561; Archæologia, xviii. 81): the motive for assigning it to an earlier period, was evidently to create a belief, that the child, with which Anne was already pregnant, had been begotten in wedlock.—*T.*]

[2] Collier, ii. 73.

Mr Cressy's sons, of Waltham, whither he and his pupils had retired, during the time that Cambridge was infected with the plague. Now, the king being at Waltham, Dr. Fox, his almoner, lodged at Mr. Cressy's house, where, as he discoursed with Mr. Cranmer concerning the king's marriage, Cranmer said, that if it could be proved that marrying a brother's wife was contrary to the law of God, a dispensation would be out of the pope's power. "This passage Fox reports to the king, who, well pleased thereat, professes, that this man had the sow by the right ear."[1] This, indeed, was the topic the king went upon, and the only one that could be serviceable to him; but, besides Cranmer's intimation, the nature of the question required that he should insist upon it. Afterwards, Dr. Cranmer became chaplain to the earl of Wiltshire, father to Anne Boleyn, and was recommended by him to the king, as a person zealous for him, in the cause of the divorce; upon which, he was employed by his majesty abroad, both in Italy, Germany, and France. He resided in Germany, at the time of archbishop Warham's death, where he was negotiating matters with the Lutheran divines, in favour of the king, and was nominated for the see of Canterbury, during his abode there. Mr Echard tell us, that, in imitation of some of the ancient fathers, he would have declined that honour;[2] but others suspect the demur (if there was any) was upon another account. It is well known, that, by his frequent conversation with the Lutherans, he had imbibed several of their principles, and was so far engaged that way, as, notwithstanding his vows, to have taken a wife, who is said to have been either sister or daughter to Osiander, the great pillar of Lutheranism. Now, it is supposed, that these canonical impediments were the occasion that he could not, on a sudden, resolve himself as to the dignity offered him by the king. However, at last, he found out a way how to extricate himself from these difficulties; he left his consort behind him, at least for the present, and submitted to all things

[1] Fuller, Ch. Hist. (179). [2] Echard, i. 674.

that were required of him, either by the king, or the see of Rome. He sued to Rome for his bulls (notwithstanding the late orders against receiving any decrees from thence), and the pope readily granted them. He paid 900 ducats, by way of composition for the annates, though there had been an order against such payments. Nay, he accepted the title of the pope's legate, and made the customary vow of obedience to the holy see, and was afterwards consecrated, March 30, 1533.[1] 1533

Now, it cannot be thought that either the king or Cranmer was entirely sincere, upon this occasion, but rather that their behaviour was a serviceable condescension, such as the juncture required. This seems probable, from the inconsistency observable in the whole management of the affair, especially, Cranmer's carriage is a plain proof of it. For, a little before the ceremony of his consecration, he withdrew into a private corner, and there made a protest against what he was going to swear to, in regard of his obedience to the see of Rome.[2] Some of our historians, endeavouring to palliate this matter, make an apology for him, after an odd sort of a manner. "If this seemed too artificial," says one, "for a man of his sincerity, yet still he acted fairly, and without actual deceit"[3] Another says, "If he did not wholly save his integrity, yet it was plain he intended no cheat, but to act fairly, and above board."[4] "But how a man can act fairly," says Mr Collier, "and yet not save his integrity, is farther than I can discover; and, therefore, with due regard to Cranmer's memory, it must be said, there was something of human infirmity in this management."[5] Several of these human infirmities were afterwards observed in Cranmer's conduct, if those errors in life can properly be called infirmities, which are the result of thought, and mature deliberation, and

[1] Strype's Cranmer, 10, 11, 13, 14, 18, 20; Burnet, i. 123, 124. [Dr. Lingard has incontestably proved, from a variety of dates, that Cranmer could not possibly have shown any reluctance or hesitation to accept the proffered honour. Hist. vi. 191, note. Edit. 1838.—*T.*]

[2] See Appendix, No. XXXII.

[3] Echard, i. 675.

[4] Burnet, i. 124.

[5] Collier, ii. 74.

where matters of the greatest concern are in election. What I shall hereafter take notice of, in this respect, is recorded both in protestant and catholic writers, who have charged this prelate with many inconsistencies in his behaviour, and scandalous prevarications, even from his first setting out into the world, till the time of his death.

To proceed; Cranmer being thus qualified, both by nature, affection, and dignity, to become useful to his master (for as Mr. Echard candidly owns, "he seemed, in some things, too much subject to the king's imperious temper");[1] the grand affair of the divorce was committed to his management. The pope could not be brought to comply. The king had caused himself to be styled head of the church of England, by the bishops and clergy, in the submission they paid to him, when they were declared guilty of a premunire; and Cranmer enjoying a metropolitic power over the bishops, &c., this was the ground they went upon, and the authority they designed to justify themselves by, in deciding the controversy. But, then, the difficulty was, in whom the radical power was lodged, and by whom the executive power should be performed? Here, indeed, they were pinched. However, it happened in this manner. APR. 11. After the method was pitched upon, Cranmer writes to the king, desiring that his majesty would be pleased to empower him to examine, and pronounce a final sentence upon the controversy.[2] And, accordingly, the king, by an instrument sealed and signed with his royal hand, gives him authority to call a court, and put an end to the debate.[3] By the strength of this

[1] Echard, i. 683.

[2] [On this, and another letter, written by Cranmer, on the same day, and on the same subject, to Henry, see an interesting note, appended, by Dr. Lingard, to the sixth volume of the recent edition of his History, p. 390.—*T.*]

[3] [The letter is in Collier, ii. Rec. p. 15. In it, Henry addresses Cranmer as one, "whom God and we have ordained archbishop of Canterbury, to whose office it has been, and is, appertaining, by the sufferance of us and our progenitors, as ye write yourself most justly and truly, to order, judge, and determine mere spiritual causes, within this our realm." He says farther, "albeit we, being your king and sovereign, do recognize no superior in earth, but only God, and not being subject to the laws of any earthly creature, yet, because ye

instrument, Cranmer summons a court, to be held at Dunstable, where several bishops, divines, and civilians arrived, May 8, 1533. The synod sitting, the king was first called upon, who appeared by his proctor. Then the queen being twice called, and neither appearing in person, nor by any one for her, she was pronounced contumax, and, May 23, the archbishop passed sentence, that the marriage between king Henry and Catherine was void from the beginning.[1] And now the affair of Anne Boleyn was no longer a secret; for, soon after, the marriage ceremony was publicly performed, though they had been privately married, about five months before, and Anne Boleyn's appearing to be big with child, was the occasion that these matters could not conveniently be deferred any longer.[2] Several writers have made themselves merry with this juggle, as they call it, between king Henry VIII. and the archbishop. After an application, of near seven years' continuance, to the see of Rome for relief, Cranmer found out the secret, that the king himself was the proper judge of the affair. I shall not pretend to determine that grand controversy, how far the power of princes extends, in regard of the church: but, certainly, matter of fact is flagrantly misrepresented, when Cranmer[3] informs the king, that his predecessors looked upon it to belong to their office, to determine causes merely spiritual; of which practice, I believe, the English history does not afford so much as one single precedent, or even so much as an attempt that way: and, as for dispensations concerning marriages, it is well known through what hands they usually passed, and that the kings of England, though they might pretend to a right of nominating the archbishops of Can-

be, under us, by God's calling and ours, the most principal minister of our spiritual jurisdiction, within this our realm, [we] will not, therefore, refuse your humble request, to make an end, in our said great cause of matrimony."—*T.*]

[1] [Rymer, xiv. 467—472: Ellis, ii. 35, 36; Herb. 375—378. The sentence is also in Burnet, i. Rec. p. 112, and Wilkins, Concil. iii. 759.—*T.*]

[2] Collier, ii. Rec. p. 16.

[3] [In his letter to Henry, requesting permission to hear and determine the cause.—*T.*]

terbury, yet, from the beginning, neither they nor any other bishops were looked upon as sufficiently qualified to exercise their juridical power, unless they were first approved of, and confirmed, by the see of Rome; and this, I suppose, Cranmer was mindful of, when, before his consecration, he thought it proper, and necessary, to apply himself to the pope. It is allowed, that Cranmer was made bishop by God, and by the king's permission and appointment, and that his majesty might empower him to call a court; but neither had Cranmer any independent power, of himself, to pronounce upon the controversy (the oath he had taken to obey the see of Rome, and the laws of the church, restraining him in that point), nor could the king give him authority to act in the case, who, not being capable of a power merely spiritual, could not give what he had not; and, besides, he was not as yet invested with that spiritual supremacy, which he afterwards laid claim to.

Before I proceed to give an account how these matters were relished by the see of Rome, it will be requisite to observe, that, ever since the breaking up of the legatine court, at Blackfriars, king Henry took all occasions to show his resentment; and, though a correspondence was still kept on, yet it was far from being in a friendly manner. The orders issued out by his majesty, concerning decrees from Rome; the customary payments of annates, Peter-pence, &c. were a great subject of complaint. But what most affected pope Clement, was the rumour concerning Anne Boleyn, whom Henry publicly entertained, as if he designed to make her his wife. This occasioned his holiness to write several letters to him, filled both with admonitions and threats. In one of these letters, dated November 15, 1532, after having complained of his majesty's coldness towards the see of Rome, for the four years last past, who formerly had discovered so much zeal for it, both by his pen and his sword, he mentions to him what was reported, concerning Anne Boleyn, yet hoped the report was false; but, in case he had abandoned his queen, and entertained that lady, it was a fact that would have very

dismal consequences. It would scandalize the church, exasperate all the queen's relations, put all Europe in a combustion, and then both Turks and heretics would make a hand of the confusion. Wherefore, he adviseth him, if the report was true, to recall queen Catherine, and forthwith cause Anne Boleyn to be dismissed; otherwise, he should be obliged to make use of his power, and let loose the censures of the church: in fine, as he had written to him, before, to the same purpose, so he hoped his majesty would stand in need of no farther admonition.[1] But you have heard of the success of these letters, by what was concluded at Dunstable.

When Clement VII. was fully informed that king Henry had actually married Anne Boleyn, he thought it high time to take notice of it, in the manner that became his place and dignity. Wherefore, he immediately threatens all those with excommunication, who were concerned in that uncanonical proceeding, with an express order, that the parties should separate, and make their appearance at Rome, within such a time; and then gave directions to the officers of the consistorial court, to proceed to a decree, about the divorce, which hitherto had been suspended, at the entreaty of several princes, who apprehended the consequences of a hasty determination.[2] Meantime, king Henry was not without fear; and, had the powers of Europe, whose interest was concerned in this bold attempt, resented it as they might have done, it might have proved as fatal to the crown of England, as it was to their church, which, under a pretence of liberty, has ever since been sub-

[1] See Appendix, No. XXXIII. [Clement had written a previous letter, to the same effect, in January, which is recited in the present address.—*T.*]

[2] [This conveys an idea of anger and precipitation, on the part of Clement, which is not correct. Though daily importuned by the imperialists, to assert his authority, and avenge the insult offered to the papal chair, it was not until July, that he could be prevailed on, to take any steps in the business; and then he merely signed a breve, annulling the proceedings before Cranmer, on the ground that the cause was still pending before himself, and excommunicating Henry and Anne, unless they should separate, before the end of September. In September, he farther prolonged the term until the end of the following month (Herb. 385, 386; Le Grand, iii, 570; Burnet, i. 128, 129). The breve is in Sanders (p. 101), and in the Summa Constitutionum (276), but, in both places, is, by mistake, called a definitive sentence, in favour of Henry's marriage with Catherine.—*T.*]

jected to the lay power, even as to all the essentials of the sacerdotal character. Wherefore, to prevent any mischief that might happen to the civil government, from this revolution in church affairs, Henry tampers with Francis I., king of France, to stand by him, and endeavours to set him at variance with the pope; and, in order to this, he labours to hinder the interview, which was to be at Marseilles, between pope Clement and the French king, and where king Henry himself had engaged to appear, either personally, or by his ambassadors; and, accordingly, the duke of Norfolk was sent thither, but recalled upon the consideration now mentioned.[1] However, the king of England was prevailed upon, by Francis, to suffer his agents to take a journey to Marseilles, not without some hopes of a reconciliation. The persons employed upon this occasion were Dr. Stephen Gardiner, and sir Francis Bryan; the first an eminent civilian, and subtle politician, the other a great favourite with king Henry, and a constant companion in his pleasures. Their commission was, among other things, to appeal to a general council, which his holiness thought was only a subterfuge and mere evasion; as, indeed, it plainly appeared soon afterwards, when the pope having intimated his intention of calling a general council, with the concurrence of the emperor, and the rest of the princes of Europe, king Henry drew back, and published two declarations, in order to justify his non-appearance, as may be seen in John Fox.[2] And, indeed, it was not his interest to expose himself and his cause upon that occasion, where he was satisfied no regard would be had to his threats.

Aug. 8.

While the congress was held at Marseilles, Gardiner

[1] Herbert, 384, 386, 387. [Norfolk's instructions were, to dissuade Francis from the interview, and to promise him assistance for the war in Piedmont, on condition that he would prohibit the payment of any money, by his subjects, to the papal treasury, and would abolish the authority of the pope, by establishing a patriarch within his own dominions. Ibid. 386.—*T.*]

[2] ii. 310, 367, edit. 1684. [Gardiner and Bryan had no commission: but they were followed by Bonner, who, on the 7th of November, obtained an audience of Clement, and, in the name of his master, solemnly made the appeal. See Burnet, iii. 75, 82—86, and Rec. p. 37—46; Herb. 389; and Du Bellay's instructions, apud le Grand, iii. 571—588.—*T.*]

and Bryan carried themselves so indecently, in regard of pope Clement, that the king of France was very much scandalized at them, and told them plainly, that, though he had been all along a friend to their master, and had omitted nothing that might contribute towards furthering the divorce, yet he would not favour him, in any thing that tended towards disobeying the see of Rome, in matters of religion.[1] However, he was always ready to make up all differences between their master and his holiness; and, accordingly, he used his endeavours. Nov. For the interview at Marseilles being ended, Du 8. Bellay, bishop of Paris, was sent ambassador into England, where he complained of the behaviour of the king's agents at Marseilles, who, by their indiscreet and passionate speeches, seemed disposed rather to widen, than make up, the breach. At the same time, he assured the king, that, if his majesty was inclined to come to an agreement with the see of Rome, let him consider of proposals, and he would carry them himself to Rome, though the time was unseasonable, it being now the middle of winter.[2] Accordingly, the king gives his consent to the journey. When Du Bellay arrived at Rome, he found the emperor's party urging the 1534 pope daily for a speedy decision; but the French ambassador laboured for a delay; and, having acquainted his holiness with some general heads towards an accommodation, Du Bellay only desired a respite of time, till a messenger could return with an answer from England. The time allotted for the king's answer being expired, Du Bellay, apprehending the court would immediately come to a resolution, petitioned for six days' more respite. But, whether through the emperor's importunity, or the opinion the pope had of king Henry's insincerity, (to which may be added, a general report all over Rome, that the pope and cardinals were daily lampooned, and ridiculed publicly, in London, in plays and farces), the decree passed in the consistory, and was signed by his holiness, March 23, 1534, whereby the marriage be-

[1] Sanders, 100. [2] Le Grand, i. 270, 271, iii. 571—588.

tween king Henry and queen Catherine was declared valid, and Cranmer's sentence annulled. It is reported, that, two days after the pope had signed the decree, Du Bellay's messenger arrived from England with king Henry's submission, upon certain terms, together with a letter from the king of France, desiring his holiness to accept of them. The terms of this pretended submission were, that his holiness would not proceed to ecclesiastical censures, so as to remove his majesty from the communion of the faithful; that persons exasperated, or suspected to be against him, might not be permitted to speak in the cause; and lastly, that his own agents and managers might have the liberty to be heard, and produce what they could in his defence. Now, how far the king was sincere in these demands, or whether or no they were consistent with the methods and authority claimed by the consistorial court, I leave others to judge; in the meantime, it appears to me, that what the king required was entangling the cause, and making it endless.[1]

Dr. Burnet, from what records I cannot tell, gives an account, that the more moderate cardinals came to the pope, after the cause was decided, and requested that it might be brought again into the consistory; which he allowed of; but the imperialists so managed matters, that the former decree was confirmed.[2] Whether such rehearings are in use in that court, or whether it be probable that the court would go a second time upon that case, which they had but just before determined, is scarce a subject of enquiry: such reports ought to be well grounded, before they can obtain credit. Much more unlikely it is what Echard relates to have happened, at the congress, at Marseilles. He tells us, that the pope agreed with the king of France, that, in case king

[1] Mem. du Bellay, 414—416; Le Grand, iii. 630—638; Fra Paolo, Hist. Conc. Trid. 71. edit. Genev. 1660; Burnet, i. 131, iii. 84—88. The decree will be found in the Appendix, No. XXXIV. [Of Henry's sincerity, even Burnet, remarking on the measures already adopted in England, makes this acknowledgement; "if king Henry's word had been taken by the pope and the consistory, he seems to have put it out of his power to have made it good." iii. 92.—*T.*]

[2] Burnet, i. 131. [Herbert had previously asserted the same, p. 397.—*T.*]

Henry would give up all those privileges, which he had of late taken from the see of Rome, the decree passed in England, in favour of the divorce, should be allowed of, and confirmed.[1] The king certainly would have made an advantage of this concession, and we should have heard a great deal more of it. Doubtless, the pope had several politic considerations, as well as those of religion, not to comply with king Henry; but, to make a declaration, that he kept off merely upon a temporal view, is a mismanagement that discerning pope can never be thought guilty of.

Several writers, who judge of matters chiefly from events, take the liberty to charge pope Clement with imprudence and precipitation, in that he did not wait a little longer, till Du Bellay's messenger returned from England; to which they add, that, queen Catherine dying about twenty-one months' after the decree, had it been suspended till that time, matters might have been compromised to the king's satisfaction. But how could the pope foresee what would come to pass? Or pry into those secrets, which were only known to the Almighty? I leave cardinal Palavicini to make an apology for his holiness, as to what concerns the prudential part,[2] and shall only mention what a certain author observes, from St. Augustin, that the prelates of the church ought to be cautious in their censures, where there is danger of schism.[3] That Clement VII. usurped not a a power which did not belong to him, and that he offended not against justice, in the sentence he pronounced against Henry VIII., all must acknowledge, who own his supremacy in matters of religion.[4]

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[1] Echard, i. 676. [Something similar was asserted by the bishop of Durham, in his interview with Catherine, in May, 1534. Apud Herb. 403.—*T.*]

[2] Eventus effecit, ut nimiæ festinationis in ferendâ sententiâ pontifex incusaretur ab iis ipsis, qui paulò ante seu imbecillum illius animum, seu calidum in prorogando judicio, damnabant: neque secum reputabant, vel oportuisse perpetuò causâ supersedere, hoc est, nihil unquam agere, vel quandocumque tandem lis dijudicaretur, potuisse statim aliquid contingere, cujus ne suspicio quidem cordato viro prius incidisset. Palavic. lib. 3. cap. 15, p. 287, 288.

[3] Cum quisque fratrum . . . . . anathemate dignus habeatur, fiat hoc, ubi periculum schismatis nullum est. S. Aug. Cont. Parmen. lib. 3. c. 2.

[4] [On the whole of this subject, see Dr. Lingard, iv. 202, note. Burnet had

What politic methods king Henry afterwards made use of, to secure himself against those, that were disposed to call him to an account for the injury done to them by this project of the divorce, and what alliances he made, in order to defend himself, may be seen both in our own and foreign historians, to whom I remit the reader. I shall only observe, how he endeavoured to pacify the emperor, who was the person chiefly affronted, and what arguments he made use of, to palliate the matter. He took the first opportunity to send an ambassador to the imperial court, who, in a set, formal speech, undertook to justify what his master had done, in the affair of the divorce. The substance of his harangue was, that his master had done a great deal more than what he was strictly obliged to: that he might have contented himself with the opinion of his own divines; but, for the general satisfaction of the world, had advised with many foreign universities, whose approbation he had obtained: besides, that his master, king Henry, was a person of great learning, and very capable of judging of the nature of the controversy; that the emperor ought not to take it ill what was done, since it was merely to purchase ease to a scrupulous conscience; that, indeed, he had made interest at several courts, as at Rome and Paris, and even with the emperor himself, to have his design take effect: but it was no more than a compliment; for it was his opinion, that he might, in the beginning, have done the thing by his own authority, as he now actually had done. Then he complains, that the pope had juggled all along with his master, first by a fraudulent bull, and then by studied and affected delays, for the space of near seven years; that, to be short, the affair belonged to the archbishop of Canterbury, and the rest of the English prelates, who had done his master justice. And then he concludes, that all debates ought to have an end; making use of these

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previously remarked (iii. 92), that the parliament, which abolished the power of the pope, within the realm, had not only completed that measure, but had actually been prorogued before the proceedings at Rome could possibly have been known in England. How then could the news of the decree in question have produced an event, which had already occurred?—*T.*]

words by way of close, *Si possis, recte: si non possis, quocumque modo.*[1]

Had king Henry stopped here, there might have been some hopes of a reconciliation; but he could not secure himself, without making a farther conquest. In the next place, therefore, he takes care to call a parliament, and to have his marriage confirmed by statute, so that there might be no defect in law, in case he had children.[2] Farther, as he had already assumed the title of head of the church, so he improved it to a spiritual supremacy, and it was confirmed to him by act of parliament, which imported, that he was the fountain of all jurisdiction,

[1] The speech is in Foxe, ii, 299. [The death of Catherine, which happened in 1536, and of which an account will be given in the biographical part of this work, presented a more favourable opportunity, which was eagerly turned to advantage by Henry, of seeking a reconciliation with the emperor. On the day after that event, Cromwell wrote a short letter to the ambassadors in France, merely announcing "the departure of the princesse douagier," and desiring them to make such use of the intelligence, as they might deem prudent. In a long postscript, however, he adds: "The king's highnes having seen this lettre, willed me, for your more ample instruction, to wryte unto you somwhat at more length. Albeit his highnes doubteth not your wisedom . . . . . yet his highnes thought good somwhat to advertise you of his gracious pleasure, in this parte, which is, that, considering uppon the deth now of the saide lady douagier, whereby themperor, having none other cawse or querele to the king's highnes, will, of grete lightlywod, by all weyes and meanes, seke for the king's highnes amytie, being the onelie matier of the unkyndenes betwixt them now abolished by the deth of the saide lady, ye, therefore, in your conferences and procedyngs with the Frensh kyng and his counsaile, shall not onelie kepe your selffe the more aloof, and be the more ffroyt and colde in relentyng to any their overtures or requests, but also by suche polycies, as by your discrete wisedomes shall seme most expedient to set fourth this matier; so as it may appere unto them what ffruyte the kings highnes may now have at themperors hand, if he woll; who now, ye may sey, will offer as well gret pleasures and benefits to the kings highnes, to atteyn amytie, as he did unto them domynyons or possessions; sayeng unto thadmyrall, it shalbe good for them, if they will com to any conformytie in this treatie, to accelerate the same, before the kyngs highnes be overmoche sought or pressed by themperour. Which matier being handeled and proponed by you, after such sorte, and with such other reasons and arguments, as the kyngs highnes doubtith not ye right wisely can, shalbe a meane to cause them the more facilly to com to such poynt, as shalbe agreable to the kings highnes expectacion, and the better conducing of his gracious affaires." *Original, in my possession.—T.*]

[2] [By this act it was farther declared, that any person, slandering the marriage, or seeking to prejudice its issue, whether by words, writing, print, or deed, should be guilty either of treason, or of misprision of treason, as the case might be; and that all persons of full age should be bound, when called on by the crown, to take an oath of obedience to the statute, under the penalty of misprision of treason (Stat. 25 Hen. VIII. cap. 22). The oath, thus required, was drawn up in the following session, and will be found in the Appendix, No. XXXV.—*T.*]

both temporal and spiritual, and that all errors, heresies, &c. were to be examined and redressed by him. An oath was also imposed, to the same purpose, whereby his subjects were obliged to disclaim all foreign spiritual jurisdiction, upon the penalty of high treason; and several eminent persons, that refused to comply, were condemned and executed. Afterwards, it was represented to him, that it was impossible to enjoy his supremacy in quiet, unless he did something, in order to keep the ecclesiastical bodies under. He had already humbled the bishops and clergy, by making them submit to the penalties of a premunire; but the monks were a rich and powerful body, and, being esteemed creatures of the pope, notwithstanding the oath they had taken to the king, were in a capacity of giving him a great deal of disturbance. This consideration put him upon the project of seizing the monastic lands. These things I only mention in general, at present, the particulars whereof shall be given in the two next articles.

But to come towards a conclusion of this grand controversy. Pope Clement VII., dying, September 25, 1534, he lived not, to execute any censures against king Henry. So that, "instead of putting the matter past reconciliation, there was only a sentence given, annulling all that the archbishop of Canterbury had done."[1] Afterwards, Paul III., Clement's successor, finding himself obliged to take notice of the sacrilegious be-
1535 haviour, and cruelties, whereby the church was daily more and more scandalized, orders a sentence of excommunication, interdiction, &c. to be drawn up against the king, and his whole kingdom, dated August 30, 1535, which, notwithstanding, was not published, nor of any force till above three years after, viz. December 17, 1538, so that the see of Rome did not proceed with precipitation. "It had, all this time, been suspended, till the suppression of monasteries, and the rumour of burning of Becket's bones, did so inflame the pope, that he resolved upon the utmost extremities. There-

[1] Echard, i. 676.

fore, this year he published the bull, which he declared he had long suspended, at the intercession of some princes, who hoped that king Henry might have been reclaimed by gentler methods; and, therefore, since his impieties daily increased, he was compelled to proceed to his highest censures."[1]

It only remains, that, for the satisfaction of readers, who desire to have some insight into the merits of the cause, I sum up the arguments, as they were urged on both sides, in relation to the question of right, which was scarce touched upon in court: the validity of the dispensation being the main point there debated. The general query was, whether the Levitical law, which prohibited the taking of a brother's wife, was natural, or only ceremonial; for it was agreed on both sides, that it was not in the pope's power to dispense with the law of nature. The learned either were, or seemed to be, divided on the subject. But those, that appeared in print for the queen, were far superior to the others in

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[1] Ibid. 696, 697. [The bull is printed in the Bullarium (i. 704), in the Summa Constitutionum (292), and in Burnet (i. Rec. p. 156). It has been abridged by Sanders (131), and recently, by Dr. Lingard, in his history. As the document itself is of great length, I subjoin Dr. Lingard's abstract. "In this extraordinary instrument," says the historian, "in which care was taken to embody every prohibitory and vindictive clause, invented by the most aspiring of his predecessors, the pontiff, having first enumerated the offences of the king against the apostolic see, allows him ninety, his fautors and abettors sixty, days to repent, and appear at Rome in person or by attorney; and then, in case of default, pronounces him and them excommunicated, deprives him of his crown, declares *his* children by Anne, and *their* children by their legitimate wives, incapable of inheriting for several generations, interdicts his and their lands and possessions, requires all clerical and monastic bodies to retire out of Henry's territories, absolves his subjects and their tenants from the oaths of allegiance and fidelity, commands them to take up arms against their former sovereign and lords, dissolves all treaties and alliances between Henry and other powers, as far as they may be contradictory to this sentence, forbids all foreign nations to trade with his dominions, and exhorts them to capture the goods, and make prisoners of the persons, of all such as still adhere to him in his schism and rebellion" (iv. 222, 223).

Such was the substance of the bull, when originally drawn up, in 1535: when ordered to be published, three years later, it was accompanied by an additional clause, which will be found in the Appendix, No. XXXVI. I may add, that, though it was not published, in 1535, both its existence and its purport were known to Henry, who not only makes it the subject of his complaints, in almost all his despatches, but also appeals to it, as a reason for inducing the French monarch to unite with him, in rejecting the authority of the Roman see. See Appendix, No. XXXVII.—*T.*]

number, and, according to the character they had in the world, much more superior to them in learning. Those of the queen's party, that occur to me, at present, were Bp. Fisher, Bp. Tunstal, Dr. Holyman, Dr. Clark, Dr. Ridley, Dr. Powel, Dr. Abel, Dr. Featherston, Dr. West, &c., all English divines, who wrote against the divorce, and were supported by a great number of foreigners, some whereof were Italian divines, viz., ThomasCajetan, cardinal, Petrus Paulus Caperella, Sepulveda, Nugorola; others Spaniards, viz., Franciscus Royas, Alphonsus Vervez, Alphonsus de Castro, Alvarez Gametius; and, of the French, were, Eguinarus Baro, Duarenus, and Conranus; also Joannes Cochlæus, a German, and Ludovicus à Schora, a Fleming. On the other side, the chief, that published any writings, were, Cranmer, Wakefield, and Sir Richard Morison. I do not find that the learned men, that subscribed for the divorce in foreign universities, were very solicitous about writing upon the subject; for there are grounds to think, that they were drawn in by fraud and bribery, and that they were not of a different opinion from the see of Rome, when the case was truly stated, or, at least, they were convinced of their mistake soon after. I will repeat the arguments of both parties, as they are collected and summed up by an ingenious hand, who has an excellent faculty in making abridgments.[1]

Those on the king's party alleged, "That the laws of Moses, which concerned marriage, were not particular to the Jews, but were for all times and all nations; that they are grounded upon natural decency; that God calls the breaches of those laws wickednesses and abominations, and threatens the most severe punishments to such as will not observe them; that the sins, for which the Canaanites were rooted out of their own land, were these; that they were defiled with these impurities; that the prohibition to marry the brother's wife was not less strict, than that of marrying within the other degrees of consanguinity and affinity, set down in Leviticus; that

[1] Dupin, Eccl. Hist. Cent. XVI. B. 2, c. 26, p. 143—145.

that law was never repealed, or explained by Jesus Christ, or his apostles, but, on the contrary, St. John Baptist had sharply reproved Herod for marrying his brother's wife; that the apostle St. Paul had shown how detestable such monstrous conjunctions were, under the gospel, by condemning the incestuous Corinthian, who had married his father's wife, so severely, as an action contrary to the laws of nature, acknowledged and practised even by the heathens; that the first christians had ever accounted the laws of Leviticus to be inviolable; that Tertullian, Origen, St. Basil, St. Jerome, St. Chrysostom, St. Ambrose, St. Augustin, and Hesychius, had severely condemned the marriage of a man with his brother's wife, and affirmed, that this prohibition was not particular to the Jews, but general to all mankind; that the council of Neocæsarea excommunicated every man who married his wife's sister, and the woman that should marry two brothers, and the same canon was reinforced by a council, held under Gregory II.; that, in all the councils which have taken notice of the degrees of affinity, within which it is not lawful to contract marriage, this of the brother and sister-in-law is put among them; that the pope St. Gregory, being consulted by Augustin, the monk, whom he sent into England, whether it was lawful for a man to marry his brother's widow, answered, that this sort of marriages was forbidden, and if any persons, who were lately converted, had contracted any such before their conversion, they ought to be advised not to associate with their wives; that there never was a more favourable occasion to dispense with such marriages than this, if the church had had power; that other popes, as, Calixtus, Zacharias, and Innocent III., had positively declared against such sort of marriages, grounded upon the prohibition of Leviticus, as upon a perpetual law. Lastly, they quoted a great number of school-men and canonists, who had taught, that all contracts of marriage within the degrees forbidden in Leviticus are void. And they added, that one of the errors, condemned in Wycliffe, was, that the law of God did not forbid this sort of marriages. But,

because there might be a distinction between a marriage consummated, and that which was not, and because it was asserted, that the marriage between Catherine and Arthur was not consummated, or, at least, that, if it was uncertain whether it was or not, there was some reason to doubt whether, in that case, the marriage of the brother's widow was equally forbidden, they add, that the validity and accomplishment of a marriage did not necessarily depend upon its consummation, but upon the mutual consent of the man and the woman; and for this reason it was, that Adonijah could not marry Abishag, because she had been his father David's wife, though he never knew her; and upon this account it is also, that, by the law of Moses, if a damsel, betrothed to a man, abandoned herself to another, she was to be stoned for an adulteress; and it is on this ground that it was held, that there was a true marriage between Joseph and the Blessed Virgin, and that Adam and Eve were man and wife, before they had carnal knowledge of each other; that the councils, fathers, and divines, make the essence of marriage to consist in the contract, and in the sacrament; that the most judicious of the canonists are of the same opinion; and, in short, that the consummation of the marriage of Catherine and Arthur was as certainly proved, as a fact of that sort could possibly be."[1]

On the other hand, writers of the queen's party maintained, "that the prohibition in Leviticus, to marry the brother's wife, was not a law of nature, but only a positive law; that Moses had sufficiently showed that, by commanding, in Deuteronomy, the brother to marry his

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[1] The proofs of non-consummation were much stronger; her assertion alone, considering her virtuous character, was a sufficient proof. Several of our historians are inclined to be of the same opinion.

"But whether bedded or not, more than as to some old formalities of court, on the like occasions, was not commonly known." Heylin, 171.

"The most pungent passage in her speech was, her appeal to the king's conscience, that he found her a virgin when first coming to her bed..... Because she saying it, and the king not gainsaying it, many interpreted his silence herein consent." Fuller, B. 5, p. 173.

"Though the bride was a widow, she was attired all in white, to express her untouched virginity." Echard, i. 622.

brother's widow, when he died without children, demonstrating, by this exception, that that law might be dispensed with, and consequently was not a law of nature; that, before Moses, that law was of no force, because Jacob married Leah and Rachel, two sisters; and Judah, after he had married two of his sons to Thamar, promised her the third; that it was not said, that the Canaanites were punished particularly for not observing this prohibition, but, in general, for all the abominations that they had committed; that, in the New Testament, Jesus Christ approved of the exception in Deuteronomy, in his answer to the Sadducees who had proposed that law to him; that St. John Baptist had reproved Herod for marrying his brother's wife, either because his brother was yet living, or because, if he was dead, he left children; that the example of the incestuous Corinthian made nothing to the question in hand, because he did not marry his wife's sister, but his mother-in-law; that, though it was always forbidden in the church to marry the sister-in-law, yet it was not looked upon as forbidden by any law of nature; that the Fathers always looked upon the law in Deuteronomy as an exception to that in Leviticus; that, in the ancient apostolic canons, he that married two sisters, one after another, was only put out of the clergy, and, in the council of Elvira, only three years' penance was imposed upon them; that the ecclesiastical and civil laws, which forbid these marriages, prohibit also marriages within the degrees of consanguinity; that there is not certainly any prohibition of such marriages by the law of nature; that the popes, who condemned these marriages, did not deprive themselves of a power of dispensing in some cases, though they did seldom do it; that there are examples of marriages, made within the degrees forbidden in Leviticus, which have been looked upon as lawful marriages; that the divines and canonists have done well, in teaching that marriages within the degrees forbidden in Leviticus were null, but they never taught that that prohibition was a law of nature, as to all the

degrees, and particularly that of the brother with his sister-in-law, especially when the first husband dieth without children; that Turrecremata, who is one of those that speak most fully against these marriages, owns that, in that case, the marriage of the sister-in-law with the brother is not forbidden, and that the pope may allow it; that many have made a great distinction between a marriage that is consummated, and one that is not; that, in the first case, there are two impediments, the one is public decency, and the other is carnal affinity; whereas, in the other, there is nothing but public decency.

"These were almost all the arguments that were produced, on both sides, in this great cause. To give a true judgment in it, it is necessary to examine, of what nature the law in Leviticus is. To me it seems certain, that that law is not a mere ceremonial or political law, which concerned the people of the Jews only; it is more probable, it is a general law for all men; but it is not necessary, for that reason, that it should be of natural right, as to all the degrees therein forbidden. The Jews allege two reasons for the prohibitions of marrying within the degrees of consanguinity in Leviticus; the one is natural modesty, which will not allow fathers to marry their children, in their several descents, nor brothers their sisters; the other is, a fear that familiarity between such persons, as, upon the account of their near relation, are obliged to dwell together, should give frequent occasion to criminal familiarities. The first reason is grounded upon the law of nature, and concerns all those, who are akin in a direct line, ascending or descending, and also brothers and sisters; but has not the same obligation upon kinsmen in a collateral line, and particularly such persons with whom there is only a bare affinity; and so, the prohibition of contracting marriage with such is grounded upon the second reason only, which does not establish a natural and indispensable law, although that prohibition was not intended purely for the Jews, but in general for the be-

nefit of all mankind. The exception, which is mentioned in Deuteronomy, concerns the Jews only,[1] being made only for the upholding of the distinctions of the families and tribes of the children of Israel. The new law has quite abrogated that exception, but still continues the law in Leviticus, which the christians have ever valued and observed, and it has very rarely been dispensed with; but since it is not a law of nature, it may be absolutely dispensed with, upon very important reasons. It belongs not to us to judge, whether Julius II. had any sufficient reasons to dispense with Henry and Catherine; but we may say, that Henry, having married Catherine by virtue of that dispensation, and lived near twenty-five years with her as his wife, could not lawfully, and in conscience, be parted from her, that he might marry another; and, indeed, it is very probable, his attempt proceeded more from his politics and his passion, than any tenderness of his conscience."

[1] That christians, as well as the Jews, ought to enjoy the benefit of this exception, is the opinion of Mr. Collier, who argues in this manner: "Granting, as they affirm, the prohibition in Leviticus was binding upon all nations, granting this, why should not the dispensation in Deuteronomy be interpreted in the same extent?—Indeed, were there any limitation in the text to bar this privilege, the case would be altered; but since this cannot be pretended, why may not christians have the benefit of the Deuteronomy exception as well as the Jews? Since the gospel allows greater liberties in other matters, why must it do less in this? Has not God as great a regard for the public interest and repose of kingdoms, under the christian, as under the Jewish, church? And if so, how can the provision, allowed the one, be denied the other?"—Collier, ii. 57.

ARTICLE III.

THE POPE'S SUPREMACY RENOUNCED—PREPARATORY MEASURES—THE CLERGY IN A PRÆMUNIRE—THEY COMPOUND WITH THE KING—AND ACKNOWLEDGE A QUALIFIED SUPREMACY IN THE CROWN—COMPLAINTS OF THE COMMONS—ANNATES ABOLISHED—RESTRAINTS ON THE POWER OF THE CONVOCATION—SUBSCRIPTIONS AGAINST THE PAPAL SUPREMACY—IT IS ABOLISHED BY ACT OF PARLIAMENT—NATURE OF THE KING'S SUPREMACY—CROMWELL VICAR GENERAL—THE BISHOPS COMPELLED TO SUE OUT COMMISSIONS FROM THE KING—SUPREMACY EXERCISED BY HENRY NEVER CLAIMED BY HIS PREDECESSORS.

THE rich spoils, which king Henry VIII. had obtained by the disgrace of cardinal Wolsey,[1] only whetted his appetite for a more plentiful feast. It was suggested to
1531 him, by some enemies of the ecclesiastical order, that all the clergy might easily be brought under a *præmunire*, for accepting of, and submitting to, a legatine power; and, as it was not a time to contend with the king, so it was judged more advisable rather to rely upon his majesty's clemency, than withstand a power, where they were sure to be crushed by the court party. Thus, the clergy were at once stripped of all their substance, for concurring in the legatine power, in which, notwithstanding, both the cardinal and they acted by the king's allowance and approbation. The king, upon a pretence of showing his clemency, would not take all the advantages of the *præmunire*, but permitted his ecclesiastical subjects to come to a composition; which yet was so exorbitant, that it was thought to exceed a literal execution. The province of Canterbury paid 100,000*l.* and the province of York 18,840*l.* It is the opinion of Mr. Collier, that these proceedings against the clergy were open oppression, if they were indicted upon the statutes of *provisors* and *præmunire* of the 27th of Edward III. and the 16th of Richard II.; these laws being only, first, to secure patronages against papal

[1] [Of this an account will be found in the biographical part of this work.—*T.*]

provisions, and, secondly, to prevent impeachments of judgment given in the king's courts. For "it is observed, that several English archbishops, since the making of these statutes, have acted as popes' legates, without any prosecution from the state; and, which is more, it appears pretty plainly, that those lords, and other persons of figure, who exhibited the articles above-mentioned against cardinal Wolsey, were not of opinion, that the legatine authority was necessarily subversive of the king's prerogative, or inconsistent with the laws of the land. This, I say, seems to appear clearly enough from the 28th article against Wolsey..... But this was not all; there was more than money required of the clergy. The king, perceiving the process of the divorce move slowly at Rome, and the issue look unpromising, projected a relief another way. To this purpose, he seems to have formed a design of transferring some part of the pope's pretensions upon the crown, and setting up an ecclesiastical supremacy. And now, having gotten the clergy entangled in a *præmunire*, he resolved to seize the juncture, and push the advantage."[1]

It was no small piece of policy in king Henry VIII. to proceed gradually in his attacks against the see of Rome. A sudden and total breach would have looked like the result of passion; but, by walking slowly, and stealing, as it were in the dark, out of the pale of the church, the shock was less, when the great point of the supremacy came to be debated. The clergy, therefore, being resolved to submit to the king, a form was drawn up, wherein it was expressed, that the king was head of the church; which title, as it was generally believed, was a contrivance of Cromwell and Cranmer; one an open and declared enemy to the clergy, the other, though himself a clergyman and a bishop, yet one that never stuck to betray his brethren, if he could thereby pleasure his prince.[2] The newness and visible tendency of the title

[1] Collier, ii. 61, 62.

[2] Cujus consilii Cranmerus et Cromwellus clam authores fuisse existimabantur. Antiq. Brit. 325.

was so shocking to them, at first, that, when the form of submission was proposed in convocation, they demurred for a time, and would not allow of a headship in the king over the church, without the saving clause of *quantum per legem Dei licet*. But "the king was not pleased to find their submission thus softened with ambiguities and exceptions; Cromwell, therefore, was sent to the convocation, and ordered to tell them, that, unless they spoke plain, and threw out the restriction, the premunire would not be discharged." Upon which, most of MAR. the convocation submitted, and owned the title, 22 "without reserve."[1] Yet it appears from bishop Tunstal's protest, and from the remonstrance he made at the head of the convocation of York, that both he and others were hared and bullied into the court measures.[2] Now, though a declaration of the king's headship was a step towards discarding the papal supremacy, yet the ambiguity of the title left room (as some expounded it) still for a spiritual supremacy elsewhere. It was not sufficiently expressed, what were the limits of that headship, and how far the recognition extended; a point

[1] Collier, ii. 62. [This passage undoubtedly occurs in Collier: but he cites it from the author of the Antiquitates Britannicæ, and immediately proceeds to show, that, in it, "the matter is misreported." He informs us, on the authority of the convocation journal, that, in the form first proposed, Henry was styled "sole protector, and supreme head of the church and clergy of England:" that to this title the convocation, during three days, resolutely refused its assent: that, at the expiration of that term, Henry offered to allow the insertion of the words "*under God*," after "*head of the church*:" but that, finding it impossible to obtain the recognition of his claim, even with this modification, he ultimately consented to accept an acknowledgment, that of the church and clergy of England he was "the chief protector, the only and supreme lord, and, *as far as the law of Christ would allow* (quantum per legem Christi licet), supreme head." The grant of one hundred thousand pounds, which the king had hitherto refused to accept, was now drawn up, in the usual form; and this equivocal admission of the royal supremacy was embodied in a parenthesis, and inserted among the motives, on which the donation was made. Collier adds, that, in the upper house of convocation, nine bishops, and sixty-two abbots and priors, in the lower, eighty-four members of the clergy, including forty-six proxies, voted for the adoption of this form. See Collier, ii. 62, 63, and Wilkins, iii. 725—743.—*T.*]

[2] [So far was Tunstal from being "bullied into the court measures," on this occasion, that he not only denounced the adoption of the form, but also demanded the insertion of his protest against it, among the acts of the convocation. Wilkins, iii, 745. His speech is printed in Atterbury's Rights of English Convocations, Append. 519.—*T.*]

more fully explained, when the parliament took the cause in hand, and a statute and oath were formed for that purpose, about two years after.

The clergy being under these hard circumstances, the house of commons (who were men picked out for the purpose) began to declaim vehemently against them, as the custom is, when persons are in a sinking condition. They were furnished with matter of complaint from two common topics, viz. abuses at home, and oppressions from the see of Rome abroad; and, to show they were in earnest, they prepared several bills relating to annates, pluralities, residence, probates of wills, mortuaries, power of convocations, &c., which inquiries had both a good and an evil aspect, accordingly as they affected persons of different dispositions and tempers. Those that were friends to religion, and zealous for discipline, might be apt to look upon it only as a method for reforming abuses, which the best practices were subject to; others, that were atheistically inclined, regarded it, as it really was, as a method of reducing the clergy, and stripping them of their privileges. Those, that suspected the worst, durst not open their mouths on the occasion; only John Fisher, bishop of Rochester (the ornament of his age for learning and piety, and who never was silent where the honour of God was concerned), as he saw through the disguise, so he wanted not courage to speak his mind freely. When, in 1529, some of these bills were first projected, he told their promoters that it was not zeal for religion, but flattery, liberty, avarice, rapine, and sacrilege, that put them upon such projects. This freedom being complained of, and particularly, that he had been too severe in his reflections upon the laity, he was permitted to explain himself, and his apology was accepted of.[1] Neither were the laity backward in recriminating upon Fisher, and the rest of the clergy, who had conceived an evil opinion of their proceedings, as it appears by a speech of a warm gentleman of the house of commons, which gives us a true idea of the religion of

[1] Bailey's Life of Fisher, 101—105; Herb. 320, 321.

certain persons, in those times. The speech concludes with these words: "So that, whether the eastern or western teachers; and particularly, whether my lord of Rochester, Luther, Eckius, Zuinglius, Erasmus, Melancthon, &c., be in the right, we of the laity shall suffer nothing by the disagreement." This in effect was treating religion as if it were a trifling concern, not worth taking notice of.[1]

Afterwards, the parliament went upon the above-mentioned bills, and, in the two years, 1531 and 1532, gradually completed their work, by lopping off what they looked upon to be the excrescences of the papal supremacy. In the first place, the statutes, concerning provisions and appeals to Rome, were confirmed, and farther explained. It was enacted, that to procure pluralities, by the interest of the bishop of Rome, should be punished with the loss of the profits, and seventy pounds forfeiture: to procure a license for non-residence from the said see, twenty pounds forfeiture.[2] But nothing made more noise, than questioning the payment of the annates, or first-fruits, and disputing the power of the convocation; which was a double attack, both against the see of Rome and the clergy at home. The annates were a year's value of ecclesiastical benefices, payable to the bishop of Rome, in order to support his dignity, and answer the charge of supervising the affairs of the church. This was a voluntary tax, which most nations had submitted to, for several ages. Now, the present ministry

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[1] [This speech is printed by Collier (ii. 45—47), and is professedly taken from lord Herbert. In the latter, however, the conclusion of the passage, cited by Dodd, is wholly at variance with Collier's version. After speaking of the "common truths of religion" as "catholic or universal notions," and exhorting his hearers to "fix and establish" them as "bonds of unity," which "will not hinder them to believe whatever else is faithfully taught, upon the authority of the church," the speaker concludes by saying, that, whether my lord of Rochester, &c., be in the right, "*we laics may so build upon those catholic and infallible grounds of religion, as whatsoever superstructures of faith be raised* (he has been speaking of "*the belief of any pious miracle, that conduceth to God's glory*"), *those foundations yet may support them.*" Herb. 324. Edit. 1672. This also agrees with the edition in Kennet.—*T.*]

[2] [Stat. 21 Hen. VIII. cap. 13. The reference to this statute will show that it was passed in 1529, not in 1531, as Dodd erroneously supposes. Warham entered a formal protest against it among the acts of the convocation. Wilkins, iii. 746.—*T.*]

represented it as an unreasonable and insupportable burden; that immense sums were carried out of the kingdom, by that means; and, in particular, they pretended to calculate, that, since the second year of Henry VII., the annates amounted to a hundred and sixty thousand pounds sterling. Upon this representation, true or false, it was resolved in parliament, that, unless his holiness would accept a composition of five pounds in the hundred, he should be opposed in his demands; and if he proceeded to censures on that account, the clergy of England should not regard them.[1] Now, this motion for a composition was all a pretence. The design was, to discharge the English clergy from the obligation; as appears by the bill, that passed for that purpose, in the year 1534.[2] But by an usual inconsistency among the politicians of those days, a tax, that was burthensome and insupportable, when required by the see of Rome, was become easy and reasonable, when the annates were transferred upon the crown. Thus it seems, Henry VIII. was not disposed to undertake the supremacy gratis. For it cannot be denied, but that a general supervisorship is attended with great charge, both in civil and religious matters. JAN. 1532

The other point, concerning the power of convocation, was much more perplexing. The national clergy of England, under the inspection of the universal pastor, always looked upon themselves to enjoy a power of acting, independently of the civil magistrate, in all matters

[1] [The act is printed in Burnet (i. Rec. 95). By it, in addition to what is mentioned in the text, it was enacted, that, if any person should thenceforth presume to pay first fruits to the see of Rome, he should forfeit his personalties to the king, and should lose the profits of his benefice, for the whole term of his possession; and that if, in consequence of his obedience to this law, his bulls should be withheld, he should nevertheless be consecrated, if to a bishopric, by the metropolitan of his see, if to an archbishopric, by two bishops, according to the ancient custom of the church. The composition, mentioned in the text, refers to a clause in the act, permitting each bishop to pay, for the expediting of his bulls, a fee of five per cent. on the clear annual revenue of his see: by another clause, Henry was encouraged to negotiate with the pope upon the subject; and, with this view, at any time before Easter in the following year, either to modify, annul, or confirm the statute, as he might deem expedient.—*T.*]

[2] Stat. 26 Hen. VIII. c. 3.

purely spiritual, viz. consecrations, administration of the sacraments, censuring erroneous opinions and immorality, and even in assembling themselves, in order to make laws concerning faith and morals; though, when an assembly was national, the king's concurrence was required, upon account of the mixed causes, in which his prerogative and the civil rights of the subject had often some concern. Now, the commons, being resolutely bent to humble the clergy to the very ground, remonstrated against them in several articles, which all terminated in this: that an independent power in the clergy to make laws, though entirely spiritual, was prejudicial to the civil magistrate, and derogatory to the royal prerogative. The bishops and abbots were very much alarmed at this proposal, and returned distinct answers to every article; but, at the same time, expressed a willingness to have all points redressed, that appeared to be an encroachment upon the king's prerogative. It seems the clergy began now to feel out the meaning of the court party, and that there was a set of atheistical men about the king, who were resolved, not only to abolish all foreign ecclesiastical jurisdiction, but to hamstring all the clergy at home, by making them dependant on the civil magistrate, in all parts of their character. And the shortest way to effect this was, to hinder them from meeting, or consulting, without express leave of the crown; and that no sanction of theirs should be of any force, unless it was approved of by the king. By this means, there appeared to be an unavoidable necessity, either of secularizing the clergy, and making them only a branch of the secular power, or of spiritualizing the king, and declaring him qualified to answer every thing in both capacities. It was in vain to attempt making a party against the designs of the court. However, the clergy took the liberty to offer some reasons, which might make his majesty sensible that he was going to deal very hardly with them, and did not act with that uniformity, which commonly attends thought and reflection. They appealed to his own book against Luther,

wherein he owns, and learnedly proves, a power in the church, and particularly in the see of Rome, *jure divino*, independent in all spiritual matters:[1] that the power of the clergy, being immediately from God, was not to be cramped and rendered insignificant by the civil magistrate: that both in England, and all other nations where christianity was professed, the clergy were always free and independent, as to essentials of their character, and, besides, were favoured with a great number of privileges of a civil nature, which, like outworks to a city, guarded them against all unjust attacks, and unbecoming behaviour of those, that were enemies to their establishment. These and such-like arguments were judged by a great many to be very much to the purpose: but they were urged by those, who wanted courage to stand by them. For, at the close of their remonstrance, they became very condescending and complaisant, and assured his majesty that they would never publish any ecclesiastical decree, without his approbation, excepting what related to articles of faith, and such matters, in which the law of God had made them independent. But here again, they were obliged to abandon this plea. The king would have all, or none: and, accordingly, when his headship was expounded by the act of supremacy, he was declared to be the fountain of all jurisdiction, both temporal and spiri-

[1] "Luther cannot deny, but that all the faithful christian churches, at this day, do acknowledge and reverence the holy see of Rome as their mother and primate, &c. And if this acknowledgment is grounded neither on divine nor human right, how hath it taken so great and general root? How was it admitted so universally by all Christendom? when began it? how grew it to be so great? Yea, and the Greek church also, though the empire was passed to that part, we shall find that she acknowledged the primacy of the same Roman church, but only when she was in schism . . . . . Whereas Luther so impudently doth affirm, that the pope hath his primacy by no right, neither divine nor human, but only by force and tyranny, I do wonder how the mad fellow could hope to find his readers so simple or blockish, as to believe, that the bishop of Rome, being a priest, unarmed, alone, without temporal force, or right either divine or human (as he supposed), should be able to get authority over so many bishops, his equals, throughout so many and different nations, so far off from him, and so little fearing his temporal power: or that so many people, cities, kingdoms, commonwealths, provinces, and nations, would be so prodigal of their own liberty, as to subject themselves to a foreign priest (as now so many ages they have done), or to give him such authority over themselves, if he had no right thereunto at all."—King Hen. VIII. Def. Sacram. contra Lutherum.

May 15. tual. In the meantime, the clergy submitted to him, in the debate concerning the power of convocation, in the following terms: "We do offer and promise, in *verbo sacerdotii*, here unto your highness, submitting ourselves most humbly to the same, that we will never, from henceforth, enact, put in ure, promulge, or execute any new canons or constitutions provincial, or any other new ordinance provincial or synodal, in our convocation or synod, in time coming (which convocation is, always hath been, and must be assembled, only by your high commandment or writ), unless your highness by your royal assent shall licence us to assemble our convocation, and to make, promulge, and execute such constitutions and ordinances as shall be made in the same, and thereto give your royal assent and authority."[1] This power was not only claimed by king Henry VIII., but, if Dr. Nichols be a true reporter of the present discipline of the church of England, the same power is still challenged by all his successors. "Without a royal licence," says this writer, "our synod cannot only make no new canons, but they must not so much as deliberate about them; neither can they pass any ecclesiastical censure upon heterodox or irreligious books.[2]

1534 The king's supremacy having thus obtained the sanction of the convocation, orders were dispersed all over the kingdom for a general subscription; and the greater part of the year 1534 was spent, in bringing the respective bodies in church and state to comply. The most exceptionable part of the form, to which they were obliged to subscribe, was, *that the Roman bishop had received from God no more jurisdiction in this kingdom, than any other foreign bishop;* to which

[1] [See the whole of the proceedings in Wilkins, iii. 748—755. With regard to the constitutions already in existence, the clergy propose that they shall be submitted to the examination of a committee, to be composed of the king himself and thirty-two other members, sixteen from the two houses of parliament, and the same number from the body of the clergy; and that such of them, as shall appear to the majority of these persons to be repugnant to the laws either of God or of the kingdom, shall be immediately annulled (Ibid. 755). The substance of this instrument was afterwards embodied in an act of parliament. Stat. 25 Hen. VIII. c. 19.—*T.*]

[2] Defence of the doctrine and discipline of the church of England.

most of the prelates and abbots put their trembling hands, as not having the courage to run the risk of a refusal.[1] Then the orders being sent down to the two universities, Cambridge made a public disclaim of the pope's supremacy, by a decree, bearing date May 2, 1534; and, on the twenty-seventh of July, the like decree passed in the university of Oxford.[2] But they both subscribed with so ill a grace, that it was visible nothing but the terror of punishment had prevailed upon them: particularly as to Oxford, Mr. Wood gives an account, that several, even those that were upon the foundation, rather than subscribe, willingly gave all up; that the major part of those, that did subscribe, did it with the injury of their conscience; and that many of them, at the same time, signed an instrument, whereby they mutually engaged that they never would, either publicly or privately, attack the supremacy of the see of Rome.[3]

It was the latter end of 1534, before the parliament came to a final determination of the debate, concerning the supremacy. The clergy were too much reduced by their late ill treatment, to make any great opposition; only seven bishops, and two mitred abbots, appeared in the house upon this occasion. The rest were not willing to signalize themselves, and, as much as they were able, endeavoured to stand neuter, though afterwards they suffered themselves to be carried away with the stream. One remarkable speech, indeed, was made, which some ascribe to bishop Fisher. Whoever the

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[1] Rymer, xiv. 487—527.

[2] See Appendix, No. XXXVIII.

[3] [I subjoin the *whole* of the original passage from Wood; by which it will appear, that Dodd has misunderstood the nature of this engagement. "Viritim dein examen instituitur, propositâ singulatim quæstione, an jurisdictionem quis pontificiam repudiare vellet: quâ quidem in re *haud ita diu hærebant academici* (quorum tamen partem longe maximam cum Romanis, quoad fidem, sensisse ambigendum non est) quin plerique, appositis instrumento cuidam nominibus, polliciti fuerint, se, neque in concionibus publicis neque privatis, *Papæ aut summi Pontificis mentionem habituros, verum Episcopum Romanum, vel Episcopum Ecclesiæ Romanæ, prout occasio tulerit, vocitaturos* (Antiq. Oxon. 259). Hence it is clear, that, instead of engaging not to "attack the supremacy" of the Pope, they pledged themselves to deprive him of the very title, by which that supremacy was designated.—*T.*]

person was, he takes the liberty to say, that the cause was of the greatest consequence, in which not only the present age, but posterity was concerned; that he could wish the king were capable of that power he aimed at; that it was an attempt directly opposite to the practice of the English nation, in all former ages; that it was depriving the ecclesiastical body of a spiritual head, much more necessary than in temporal affairs; that no spiritual jurisdiction was ever looked upon as valid, without the approbation of the see of Rome; that the see of Rome was the centre of unity, by whose authority heresy had been always suppressed, and princes reconciled by submitting to her decisions and arbitration; in fine, Rome was a kind of court of Chancery to all nations, that professed Christianity; and those, that were divided from her, would be like branches cut off from the tree of life.[1] But arguments are of little force against power; and whatever persons might think, or talk, against the proceedings of the court, it was resolved that an end should be put to all correspondence with Rome, as to any claim of jurisdiction over the English clergy; and, accordingly, an act passed, abrogating the pope's supremacy, declaring it, at the same time, to belong to the king's prerogative, and all those to be guilty of treason, who, by words or writing, should oppose this statute. Now, the nature of this supremacy is expressed in the act, in the following terms: "Our sovereign lord, his heirs and successors, kings of this realm, shall have full power and authority, from time to time, to visit, repress, redress, reform, order, correct, restrain, and amend all such errors, heresies, abuses, offences, contempts, and enormities, whatsoever they be, which, by any manner [of] spiritual authority or jurisdiction, ought, or may lawfully be reformed, &c."[2]

[1] [This speech, if it were ever spoken, was certainly not delivered in the house, or on this occasion. It was originally printed by Herbert (390), as the speech of a privy-counsellor, in 1533, and was evidently addressed to Henry himself.—*T.*]

[2] Stat. 26 Hen. VIII. c. 1. [Two years later, an oath, rejecting the authority of the Roman see, was drawn up; and all officers, civil and ecclesiastical,

It is a surprising reflection, that a whole nation should concur to give up all at once an uncontested article of their religion, and which both the king, and all the learned men of both universities, had so lately maintained against Martin Luther. But the author of bishop Fisher's Life does, in some measure, account for it; for, besides what he allows to libertines and atheistical persons, who were resolved to distress the pope, and carry their point, right or wrong, he tells us, that the sober and learned part of the nation flattered themselves with a belief, that what was granted to the king, by that statute, amounted to no more than a civil power over the persons and goods of the clergy, who still were independent as to all the essential parts of their character. But it is a difficult matter to reconcile this persuasion with the words of the act, where the king is declared to be the fountain of all jurisdiction, both temporal and spiritual, and that his power extends to all matters, both discipline and doctrine. I am not ignorant that many reformers, both of the church by law established, as well as dissenters, are disposed to expound the act, after the manner I have mentioned, and do often plead for a spiritual independency; but, besides incurring the penalty of the act, they lay themselves too open to be attacked by the Catholics, who will turn the argument from independency against them, with great advantage. However, it is the opinion of many writers of the church of England, that the king is limited, in the exercise of his supremacy, and that the church, in many cases, may challenge an independency. For, in the first place, it is expressly affirmed in the Thirty-nine Articles, "That the church has a power to decree rights and ceremonies, and authority in controversies of faith. This article pronounces the church the judge in matters of faith, and seems to contradict the statute before us. But, notwithstanding this inconsistency, the Thirty-nine Articles are not only confirmed by the ratification of two kings, but

all clergymen at their ordination, and all members of the universities about to graduate, were compelled, under pain of treason, to take it. It was afterwards enlarged and enforced by another statute. See Appendix, No. XXXIX.—*T.*]

likewise by an act of parliament, in the reign of queen Elizabeth.—By divine appointment, the church and state are two bodies perfectly distinct; they are raised upon different charters; they have powers independent of each other; the government is conveyed through different channels, and the views in the institution are not the same."[1] "Our kings leave the power of the keys, and jurisdiction purely spiritual, to those to whom Christ hath left it."[2] "As for spiritual jurisdiction, standing in examination of controversies of faith, judging of heresies, &c. . . . . this we reserve entire to the church, which princes cannot give to, nor take from, the church."[3] "Liturgies, preaching, &c. belong purely to the sacerdotal power."[4] "The power of the church is so absolute and depending on God alone, that if a sovereign professing christianity should forbid the profession of that faith, or the exercise of those ordinances, which God hath required to be served with, or even the exercise of that ecclesiastical power, which is necessary to preserve the unity of the church, it must needs be necessary for those, that are trusted with the power of the church, not only to disobey the commands of the sovereign, but to use that power, which their quality in the society of the church gives them, to provide for the subsistence thereof, without the assistance of the secular powers; a thing manifestly supposed by all the bishops of the ancient church, in all those actions wherein they refused to obey their emperors seduced by heretics."[5] "Farther, it may be objected, that Decius and Dioclesian were as absolute in the Roman empire, as the king and parliament are in England; and that the Grand Seignior has now the same extent of authority in Turkey. The question, therefore, is, whether, by the grounds of this act (as it is sometimes interpreted), these princes might not be judges in matters of faith, and manage the government of the church at pleasure? The next question is, whether, upon this

[1] Collier, ii. 81, 89. [2] Bramhall, Schism guarded, 63.
[3] Carleton's Jurisdiction Regal, Episcopal, and Papal, 9.
[4] Tortura Torti, 366. [5] Thorndike's Rights of the Church, 234.

scheme, the being of christian religion does not lie at the mercy of the civil government? And then the last interrogatory will be, whether the bishops are not bound, in some cases, to make a stand upon the regale; to break through an act of this nature, in defence of their creed, to run the last hazards, rather than throw up their commission, and desert the interest of christianity? If I had maintained the affirmative of this last question, I should have been supported by the authority of the learned bishop Wake, in his *Authority of Christian Princes over Synods Ecclesiastical.*"[1]

I will not pretend to determine, whether these divines have mistaken the case of the king's supremacy, much less to pronounce upon the meaning of the statute. However, two things I dare venture to affirm, first, that, their comment upon that law is not agreeable to the doctrine of many of their own church: secondly, that, whatever the opinion of the one or the other may be, it is certain, that, in practice, the clergy of England are not allowed to enjoy any independent power or jurisdiction, either temporal or spiritual. So that, from the whole, it appears to me, that, though the see of Rome is a loser by this act of parliament, the Protestant clergy have gained nothing by it; they have only changed masters, and, instead of paying obedience to those of their own character, have put themselves entirely under the power of the laity; and, considering the uncertainty of human affairs, and the revolutions that kingdoms and civil governments are subject to, their creed may ring the changes of the state; and, if Providence is disposed to punish their crimes by such a defection, deism or atheism may obtain an establishment, and the thirty-nine articles be jostled out by the Alcoran. I am not ignorant of what some subtle divines of these our days have advanced, that *imperium in imperio*, or two independent powers, under the same constitution, is a paradox in government; which may be true, where the end and means are the same. But how agreeable it is to the economy of a church established immediately by Christ,

[1] Collier, ii. 89.

or to the *jus divinum* of episcopacy or presbytery, to acknowledge a supremacy in laymen, is a matter of inquiry I leave to the reader's private reflection.—But, to return.

The king now began to consider distinctly the several branches of his supremacy. "His new title of head of the church seemed to have increased his imperious temper, and made him fancy, that all his subjects were obliged to regulate their belief by the measures he set them;"[1] and he quickly gave them to understand, that he did not design to sleep over his office. He took care to have it proposed in parliament, that overseeing a national church was a very chargeable undertaking, and so he hoped they would take it into consideration, whether the annates, or first-fruits, might not reasonably be allowed him, to defray the expenses. The parliament found no difficulty in granting him his request; but with what consistence let the world judge, since they had looked upon it as an exorbitant demand, and great oppression, when required by the pope.[2] Another remarkable instance of his spiritual capacity
1535 was, when he made Thomas Cromwell his vicar-general, and placed him at the head of the convocation. "A frightful sight!" as bishop Godwin observes.[3] "His authority was, in all points, the same that legates had, in the time of popery; for, as the king's authority succeeded that of the pope, so the king's vicegerent was the same in power, that the legates had formerly been."[4] The instrument or patent, whereby he is empowered to act, expresses, that he is constituted vicar-general; that he is to preside over synods, chapters, and all such ecclesiastical assemblies; to reform both places and persons, and punish those that disobey, by ecclesiastical censures, pecuniary mulcts, or any other method which the laws prescribe.[5] It was, indeed, a very odd sort of economy, to see a layman prompting and instructing

[1] Echard, i. 681. [2] Stat. 26 Hen. VIII. c. 3.
[3] Deformi satis spectaculo. Annal. 59. [4] Echard, i. 683.
[5] The commission is printed in Wilkins, iii. 784, 785; in Burnet, ii. Rec. 273—276; and in Collier, ii. Rec. 20—22.

archbishops, bishops, &c., in their synods, what and how they were to preach; and what was still more shocking, that a person of Cromwell's character should be made choice of, who was known to be a mortal enemy to all churchmen, and no friend to religion in general. But he was a proper instrument for dirty work. Meantime, the convocation was obliged to submit tamely to all his orders, being as humble in their style and behaviour, as they were low in their circumstances; and, if they had a mind to exercise their pastoral functions, it was to be done by way of address. According to this plan, they petitioned, that laymen might not be permitted to dispute about religion; having found of late, that the liberty some had taken, in this respect, was the source of several errors, and great disorders. Indeed, it was merry enough, that they, who had surrendered up all their power to the laity, should pretend to prescribe laws to them. By this they seem to have lost their memories, as well as zeal for their order. But, as it was not an age of consistencies, we must pardon them, if now and then they appeared under some infatuation.[1] 1536

[1] [This account of the petition, or remonstrance, drawn up by certain members of the convocation, and addressed to the bishops, is not strictly correct. The petitioners, who were the members of the lower house, denounced a body of erroneous propositions, lately broached and maintained by the reformers; they complained of the apathy of their episcopal superiors, in neglecting to condemn the heterodox publications that were abroad; and they concluded by intimating that much mischief had been produced by the unlicensed preaching of individuals, whose morals were as corrupt, as their doctrines and opinions were unsound (Collier, ii. 119—121). Of the effect of this petition, and of the consequent proceedings of the convocation, the reader will be informed in a subsequent article.

There is another subject, which, though unnoticed by Dodd, deserves to be mentioned in this place. With the possession of the title, Henry was resolved to unite the exercise of the authority, of spiritual head; and when Cromwell, therefore, was appointed to the office of vice-gerent, or vicar-general, he was commissioned, not only to preside over the deliberations of the clergy, but also to visit them, by himself or by his deputies, in their several churches, to enquire into their lives and conduct, to convoke synods, and to issue injunctions for the reformation of abuses, for the punishment of offenders, and for the "due administration of justice in all cases touching the ecclesiastical jurisdiction." It was evident, that the performance of these duties would be incompatible with the existence of an independent authority in the bishops. To meet the difficulty, Henry, in the exercise of his supremacy, wrote to the archbishops of Canterbury and York, ordering them to inform the other prelates and ordinaries of the kingdom, that he was about to make a general visitation of the clergy, and that, until the close of that visitation, their powers were wholly suspended.

The king all this while was contriving how to reap an advantage from his supremacy, and set several projects a-foot. Among others, that was most taken notice of, and struck a terror into a great many, when he ordered a list of the revenues of the clergy and religious to be laid before him.[1] His friends pretended, it was only to become better acquainted with the advantages and pro-

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Cromwell now prepared, by his deputies, to enter on the execution of his office. But the rumour of the intended proceeding had already called forth the remonstrances of the bishops; the deputies began to anticipate the possible failure of their enterprise; and, on the 24th of September, only six days after the date of Henry's mandate to the archbishops, Leigh and Ap Rice, two of the vicegerent's delegates, found it necessary to address their master on the subject. The letter, which they wrote on that occasion, is still preserved. Having expressed their fears "that the bishops will be in hand" with the king's representative, "touching the inhibitions," they proceed to urge the policy of persisting in the intended measure, and suspending the ordinary spiritual jurisdiction of the country for an indefinite period. If the bishops claim their powers of divine right, let them produce their evidence: if they take them as a benefit of the king's highness, let them sue for them again, by supplication. The first they will be unable to accomplish: the second will be a practical acknowledgment of the supreme authority of the crown; and the world will then be taught to regard his majesty as the spring-head, and fountain of all jurisdiction (Strype, Mem. i. Append. 144, 145). This reasoning decided the question. The archbishops, who had hitherto forborne to issue the royal notice, at length published it to their suffragans (October 2); and the bishops, unable to obtain a reversal of the sentence, were compelled to petition the king for the restoration of their powers. Henry's object was now achieved. To each prelate a commission was immediately issued, appointing him the king's deputy, and authorizing him, in that capacity, to exercise his spiritual jurisdiction during the royal pleasure. He was empowered, in the king's name, to examine and ordain persons born within his diocese, to admit them to livings, to receive proof of wills, to grant administration of effects, to decide causes belonging to the cognizance of the ecclesiastical courts, to enforce the operation of the law by canonical punishments, and to do "whatever was necessary for the proper execution of the premises, besides those things, which, according to the sacred Scriptures, were committed by God to his superintendence." He was, however, to bear in mind, that the authority, thus entrusted to him, belonged of right to the prerogative of the crown; and that he was now permitted to use it, on behalf of his sovereign, only because the king's vicegerent, to whose office it was originally attached, was prevented, by the multiplicity of his affairs, from exercising it efficiently himself.—See a copy of one of these instruments, together with the mandate of Henry and the circular letter of Cranmer, in Wilkins, i, 797, 798. Of the dates at which the commissions, containing the restoration of episcopal powers, were issued, a few only have been preserved. From them, however, it would appear, that the bishops were not all equally forward to surrender the independence of their order. Cranmer's commission was dated in October, and was, probably, the first. York and Lincoln followed on the thirteenth, Hereford on the fourteenth, and London on the nineteenth, of the same month. Winchester is only said to have been granted "in the same year;" but Durham is known not to have been issued until the tenth of November. Yale apud Harmer, 52; Wilk. ib.—*T.*]

[1] Collier, ii. 95.

fits of his new title; but observing men believed it to be what it really was, to give himself an inviting prospect of the abbey-lands, the dissolution whereof I shall give an account of, in the next article. In the meantime, I will only add, that, though the generality of the people, both laity, bishops, and abbots, went into the court measures, and subscribed to the king's spiritual supremacy, yet a great many stood off, who were imprisoned, and several of them suffered death, according to the penalty expressed by the act. The most remarkable persons, that died upon this account, were, John Fisher, bishop of Rochester, and sir Thomas More, the late lord chancellor, of whom an account will be given in a subsequent part of this work.

I will conclude this account of the supremacy, with a word or two concerning a mistake of several Protestant lawyers, who pretend, that king Henry VIII. did not assume unto himself any more ecclesiastical power, than what had been claimed and practised by his predecessors, in former days, both under the British, Saxon, and Norman periods. The famous lawyer, Sir Edward Coke, undertakes to prove this point, in the 5th part of his *Reports,* and is seconded by Mr. Prynn, who, in the years 1665, and 1666, published two folios, to which he prefixes the following title, *An Exact Chronological and Historical Demonstration of our British, &c. Kings' Supreme Ecclesiastical Jurisdiction.* The arguments these authors make use of are distinctly answered by father Persons, in a work purposely written to discuss that point, and by Mr. Collier, who, in his *Ecclesiastical History,* undertakes to demonstrate the inconclusiveness of all the facts produced by Sir Edward Coke;[1] and concerning Mr. Prynn, Anthony Wood, speaking of his works, says, "In most of them he shows great industry, but little judgment, especially in his large folios, against the pope's usurpations."[2] The little judgment, he and others show upon this occasion, appears from hence,

[1] Collier, ii. 92—94.

[2] Athen. Oxon. ii. 439.

that they make all the controversies between the see of Rome and the kings of England capital, and do not distinguish between civil and ecclesiastical jurisdiction, nor between ecclesiastical jurisdiction that belongs to faith, and ecclesiastical jurisdiction that regards discipline only. It plainly appears, from the story of those times, that the debates between the popes and kings of England were concerning the right of patronage, investitures, sanctuary, exemptions from taxes and courts of civil judicature, excommunications upon civil accounts, admitting legates, and appealing to Rome, in the cases above-mentioned, where both parties produced custom against custom, and laws against laws. But as for a supreme spiritual jurisdiction, which consists in redressing and correcting errors and heresies, and pronouncing upon matters of faith, it was a power never practised, nor so much as ever thought of, by the kings of England, in former days. King Henry VIII. was the first that ever gave leave to bishops to exercise jurisdiction, without being approved of at Rome, the first that ever stiled himself head of the church, and the first that ever made it treason to refuse him that title.

ARTICLE IV.

MONASTERIES DISSOLVED.—MONASTIC LANDS A TEMPTATION TO THE AVARICE OF THE KING—COMPLAINTS AGAINST THE MONKS—VISITATION OF THE RELIGIOUS HOUSES—CALUMNIES AGAINST THE RELIGIOUS—"THE SUPPLICATION OF BEGGARS"—PROCEEDINGS OF THE VISITORS—DISSOLUTION OF LESSER MONASTERIES—CONSEQUENCES OF THIS MEASURE—INSURRECTION IN THE NORTH—IT IS SUPPRESSED—HENRY IS ENCOURAGED TO PROCEED TO FARTHER AGGRESSIONS—DISSOLUTION OF THE GREATER MONASTERIES—PROVISION FOR THE RELIGIOUS—MONASTIC LANDS SETTLED ON THE KING—COLLIER'S ACCOUNT OF THE INJURIOUS EFFECTS OF THIS DISSOLUTION—TO THE NOBILITY—TO THE NATION AT LARGE—TO THE FOUNDERS—TO LITERATURE—DECAY OF THE UNIVERSITIES—OPINIONS OF PROTESTANT WRITERS ON THE ALIENATION OF MONASTIC LANDS—NEW BISHOPRICS ERECTED—FARTHER ALIENATIONS OF CHURCH PROPERTY—COLLEGES, CHANTRIES, AND HOSPITALS, GIVEN TO THE KING—REFLECTIONS.

"BISHOP GODWIN," says Collier, "observes, the king was strongly disposed to promote a reformation, that would turn the penny, and furnish the exchequer."[1] He had found the sweets of this method, by bringing the clergy under the lash of a *præmunire;* and now the monastic lands afforded him a good opportunity of improving the project. There had been a discourse of reforming monasteries, from the time that king Henry assumed the title of head of the church; a very laudable undertaking, had either order, decency, or measure, been observed in the execution. Frequent abuses had, for many years, been complained of, which seemed to plead in favour of such an attempt. It had been represented, that monasteries had engrossed and monopolized trade, and several manufactures, especially the profitable branch of hides and leather; that they daily extinguished the nobility and gentry, by purchasing lands and lordships; that they had impoverished the secular clergy, and made them contemptible, by obtaining impropriations from the see of Rome,

[1] Collier, ii. 149.

while they took care to be exempted from tithes, where others enjoyed impropriations; finally, that they abused the privilege of sanctuary, and scandalized the nation by their splendour and plenty, unbecoming a religious state. These, and such-like complaints, had been often made, in former days; and though many of the abuses were redressed by civil and ecclesiastical statutes, yet some of them, not having been sufficiently considered, were a plausible pretence for thinking of a farther reformation. When the matter was first proposed in council, a large majority were for a reformation, nay, for reducing their number, according to the direction of the canons, and custom of the church, where either a neglect of discipline, or a scarcity of revenues, seemed to require such a regulation; but, as for an undistinguished seizure of men's properties, it was exclaimed against, as a scandalous attempt.[1]

1535 The privy-council having sufficiently debated the point, it came to this issue, that the king might undertake what he pleased of that kind, by the strength of his supremacy. And, that things might be carried on with an appearance of justice and regularity, it was decreed, that there should be a general visit of all the monasteries throughout the kingdom, the whole to be managed by Thomas Cromwell, the king's vicar-general, who, by commission, appointed a certain number of visitors; among these some of the chief were, Layton, Leigh, London, Sowell, Price, Gage, Bellasis, &c. The instrument, to be made use of upon this visitation, consisted of eighty-six articles, where, under the heads of poverty, chastity, and obedience, an infinite number of interrogatories were to be proposed, relating to their constitutions general and particular, commerce with a different sex, discipline, revenues, inventories of goods, as plate, jewels, writings, charters, &c. Now, that this visitation might go down better with the nation, plausible reasons were handed about, to take off the odious part. In the first place, it was suggested, that there

[1] Herb. 424—426.

was no other way of supporting the king in his assumed supremacy, than by clapping a curb upon the mouths of the religious, who were entirely the pope's creatures; and, unless they were stripped of some of their money, might be capable of ruffling the king's affairs. Again, it was industriously reported, that the emperor was preparing to invade England, and that the project now setting a-foot would enable the king to defend himself, without making any demand upon the subject. The clergy were also soothed up; that the impropriations should be returned to them again by the monasteries, and that several new bishoprics should be founded from the monastic lands. Then, to dispose the monks themselves to favour the project, it was whispered about, that large pensions would be settled upon such as came willingly in, which, together with the hopes of more liberty, were proper baits for the corrupted passions of human nature.[1]

Things being thus disposed, the visitors were dispatched into their respective circuits, while the poor monks were ignorant which way they were to be attacked. And though undiscerning people might be imposed upon so far, as to think that they went upon a good motive, yet considerate men might plainly discover it was nothing but insatiable avarice, that prompted the courtiers to push the king upon the undertaking.[2] They saw that he was resolutely bent upon maintaining his supremacy, and that nothing would conduce more to-

[1] Herb. 426, 427; Collier, ii. 103—107, 109; Burnet, i. 181. [Besides the instructions to the visitors, a body of injunctions, in twenty-five articles, was drawn up, and ordered to be left at each of the religious houses. Both this and the instructions, which are still preserved in the Cotton Library (Cleopat. E. iv. 11—25), have been published by Wilkins (iii. 786—791), and Burnet (i. Rec. 123—132). The injunctions relate to the abolition of the papal, and to the acknowledgment of the regal, supremacy; to the succession to the crown; to the revenues and internal discipline of the monastery; and to the discharge of the important duties of hospitality, and charity to the poor. Such was the disguise, under which Henry sought to conceal the rapacity of his intended proceedings!—*T.*]

[2] Si rem ipsam accuratius expendissent, aulæ potius libidinem, hominumque nullum quæstui modum statuentium avaritiam, nominassent, qui regem propterea, abolendo pontificis Romani dominatui intentum, ad sodalitia clericorum omnimoda evertenda, bonaque eorum diripienda, incitabant: cui rei nihil magis conducere poterat, quàm si patrimonii, cui inhiabant, possessores fortiter calumniarentur. Wood, Antiq. Univ. Oxon. 262.

wards it, than seizing those pious foundations, and nothing more plausibly effect the seizure, than aspersing the possessors, and loading them with calumnies. To this purpose, great pains were taken, all over the kingdom, to ridicule the monastic institution, and lay open all the abuses it was capable of: ignorance, sloth, lasciviousness, avarice, superstition, and frauds of all kinds, were the common heads of reproach, and subject of table-talk, and daily lampoons, in order to depreciate that way of life. How far some were transported with this humour, appears from the invective of a witty atheistical lawyer, whose name was Fish, who published a virulent book against all churchmen in general; but most especially he attacks the monks, whom he represents as if they were the cause of all the poverty in the nation: and, upon this account, he gives his book the title of *The Supplication of Beggars*. It is hard to determine, whether the language or matter is more scandalous. He paints out all the bishops, deans, archdeacons, priests, monks, friars, &c., as a herd of lazy drones, that devour the king's lands; that they are the occasion of all the taxes, of beggary at home, and want of success abroad; that they excommunicate, absolve, &c., merely for gain; that they debauch the wives, daughters, and servants of the whole kingdom; that they are thieves, highwaymen, ravenous wolves, and cormorants; that he hopes the king will take it into consideration to have them reduced, tied to a cart, whipped, turned adrift, and entirely demolished, as enemies to his state and to all mankind. Had the devil been employed in the work, he could not have made an apology more suitable to the times; for though the book was levelled against religion in general, and had the visible marks of iniquity stamped upon it, yet, such was the humour of king Henry's days, that, when it was offered to him by Anne Boleyn as an ingenious performance, it was read at court with singular pleasure, and many hints taken from it, in order to promote the cause in hand.[1]

[1] [This is the unsupported account of Foxe, who is followed, of course, by Burnet (i. 154): Collier, however, more truly informs us, that the publication

But to proceed in the account of the visitation. The chief managers of this affair did not design to take their plan from lampoons and general invectives; they were resolved to go seriously to work, and draw up their charge from facts and authentic informations. But we have reason to think, they proceeded with as little candour and truth, in their particular scrutiny and representation, as Mr. Fish had done in his general accusation. "That the narratives of this kind," says Collier, "were swelled beyond truth and proportion, may well be suspected, from the mercenary temper of some of the visitors.... Besides, that several of the religious houses had a fair reputation, appears from authentic records."[1] Mr. Fuller, in his *Church History*, is so just to the religious houses in general, as to discredit those vulgar and popular reports, and calumnies, wherewith they were aspersed. "I cannot believe," says he, "what is commonly told of under-ground vaults, leading from friaries to nunneries, confuted by the situation of the place, through rocks *improbable*, and under rivers *impossible*, to be conveyed.... More improbable it is, what is gene-

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of this and other similar pamphlets was, in fact, the immediate cause of a proclamation, forbidding, under severe penalties, the importation or printing of "any book, contrary to the received doctrine of the church" (ii. 48). The "Supplication" will be found in the Appendix, No. XL. It was written, or, at least, published, about 1528; and, in the following year, was answered by Sir Thomas More, in a small work, entitled "The Supplication of Souls," which may be seen at page 288 of More's collected works. The book really presented by Anne Boleyn to Henry, and approved, or rather said to have been approved, by the latter (for it was really condemned, with his sanction, in the convocation of 1530), was Tyndale's "Obedience of a Christian Man." Strype, Mem, i. 112.

Before I close this note, I ought to observe, that, on the appearance of his history, Dodd was blamed, first, for having published "the Supplication" at all, and, secondly, for having published it without the accompaniment of More's reply. I am not sure that the charges deserve much notice: at all events, his own answer to each will sufficiently vindicate him. "The first," says he—why he published the supplication?—"was asked me by a particular friend, but not by way of reproach. The answer I gave was, that it was so exact a description of the humour of those times, and so exposed the vile notions of those that aimed at a reformation, that I thought it would not be unseasonable, nor much amiss, to give it at full. As to your second question"—why he omitted More's reply?—"a protestant gentleman, who read it over in my hearing, said, there was no occasion of a reply, by way of antidote, from any catholic; it being a lampoon against virtue and religion in general, and answered itself."—Apology for Ch. Hist. 84, 85.—*T.*]

[1] Collier, ii. 155.

rally reported, that abbots made provisions for their lusts on their leases, enjoining their tenants to furnish them (as with wood and coal, so) with fuel for their wantonness. A reverend divine [Mr. Stephen Marshall] hath informed me, that he hath seen such a passage on a lease of the abbey of Essex, where the lessee was enjoined yearly to provide *unam claram et lepidam puellam ad purgandos renes Domini Abbatis.* It was never my hap to behold any instrument with such a lustful clause, or wanton reservation therein, and [I] shall hardly be induced to believe it."[1] Again, whereas a scandalous list may be met with in some authors, and in Mr. Speed particularly, of sodomitical monks, and such as kept whores, and were detected and convicted upon the visitation, Mr. Fuller rejects it as a forged piece. "I find," says he, "this catalogue only in the third edition of Speed, proving it a posthumous addition after the author's death; attested in the margin with the authority of Henry Stephen his apology for Herodotus, who took the same out of an English book, containing *The Vileness discovered at the Visitation of Monasteries.* Thus, this being but the report of a foreigner, and the original at home not appearing, many justly abate in their belief of the full latitude of this report. Indeed, tradition is the only author of many stories in this nature."[2] However, if it be true what the same author reports, as to the method observed in the visitation of the monasteries, I should not wonder if the monks were represented as guilty of such kind of enormities and scandalous facts. For the "visitors were succeeded with a second sort of public agents, but working in a more private way, encouraging the members in monasteries to impeach one another. For, seeing there was seldom such general agreement in any great convent, but that factions were found, and parties did appear therein, these emissaries made an advantageous use thereof. . many, being accused, did recriminate their accusers, and, hopeless to recover their own innocency,

[1] Church Hist. 317, 318. [2] Ibid. 317.

pleased themselves by plunging others in the like guiltiness. Yea, some hold, that, as witches, long tortured with watching and fasting, and pinched when but ready to nod, are contented causelessly to accuse themselves, to be eased of the present pain; so some of these poor souls, frightened with menaces, and fearing what might be the success, acknowledged all, and more than all, against themselves."[1] By these and such like methods, were the monasteries brought into disrepute, and the way prepared for their dissolution. They had also several ways, as Fuller takes notice, to render the nuns obnoxious, as well as the monks. Lewd young men were privately set on, to excite them to wickedness, and make attempts upon their virtue; and this purposely to turn informers, if there happened to be any familiarity, or indiscretion, that might be the ground of an accusation; whereof one single instance was sufficient to blast the reputation of a whole convent, and so their business was done.[2] Where these tricks were played, "it may be feared," says Heylin, "that God was not in that great and terrible wind, which threw down so many monasteries and religious houses in the reign of Henry VIII.. . . . The offences of the religious were represented in such multiplying-glasses, as made them seem both greater in number, and more horrid in nature, than indeed they were."[3]

Besides the charge of immorality, the monks were represented as impostors, and that they seduced the people, by false miracles, and strange operations, performed by images, relics, crosses, &c., of which some account is given by our historians; but this being a common topic of reproach against the church of Rome, it does not seem particularly to affect the monasteries. And "whether the impostures above-mentioned are

[1] Fuller, 314.

[2] Ibid. 315. [It is right to add, that this is not distinctly acknowledged by Fuller, though he ventures not to contradict it. He mentions it as a fact, of which "the papists do heavily complain (how justly God alone knoweth);" and he concludes his account of it, by calling it "a damnable act, *if true*." Ibid.—*T.*]

[3] Hist. Reform. 252, 262.

matter of fact, will be a question; for William Thomas, cited by the lord Herbert, is somewhat an exceptionable authority: he wrote the book called *Il Pelerine Inglese*, in justification of king Henry's proceedings; but, by the account he gives of archbishop Becket, it is plain he was either biassed, or grossly mistaken."[1]

After all, it cannot be denied, but that there must have been several abuses among so vast a number of people; and it is no less manifest, that the monks had not fair play at the visitation, some of the visitors being convicted, and punished, which gave a lustre to the proceedings of others, who were no less guilty of misrepresentation, as I have already made it appear, and could produce many instances to confirm it. But it was not policy to punish too many delinquents on that score, lest the king should be deprived of one of the principal inducements for making a seizure of the monastic lands.

When the visit was over, and the particulars laid before the parliament, it quickly appeared on which side the scales would fall. The state of the religious houses was so represented, that many thought it convenient that there should be some kind of reformation; and those, that were convinced of the visitors' unfair dealing, had not courage to oppose the court measures, the king being violently bent upon having the project take effect. It was resolved, therefore, that there should be, not only a reformation, but a dissolution, not of all the monasteries, but only of those whose annual rents were under the clear value of 200*l.*; and an act passed accordingly, which, notwithstanding, was liable to great abuses, it lying in the breast of the commissioners to make an estimate of their revenues, and who are thought to have abused their power, in undervaluing many convents, and, by this means, bringing them within the reach of the law for a dissolution. I do not find that any remarkable opposition was made, by any of the members of parliament, to this

MAR. 1536.

[1] Collier, ii. 149. Herb. 495, 496.

act:[1] one zealous speech, indeed, I meet with, which some have ignorantly attributed to bishop Fisher, who was beheaded in 1535, whereas this act passed not the votes of the house, till the year 1536. The author of this speech against a dissolution, puts the members of the house in mind, that they were the guardians of the people's liberties, especially of the church; that they ought to be careful not to pass an act, which might scandalize the whole christian world, and administer occasion to posterity to curse what their ancestors had done; that such a seizure would be a precedent for invading every subject's private property; that religious houses, which were the glory of former ages, would become the ignominy of the present age; that cutting off rotten branches was only a pretence, religion being the main thing struck at; that it was an unheard-of proceeding, that particular transgressions should be punished with extirpation; that there were statutes enough, both civil and ecclesiastical, for reforming monasteries, and why were they not put in execution? that reformation sounded well, but the game, some were in pursuit of, was licentiousness, plunder, rapine, and sacrilege, a lesson they had been taught by Wycliffe, Huss, and Luther; that, if monasteries had been poor, their morals would have stood the test; and that the riches of the ecclesiastical body were the greatest crimes they had to charge them with; that the lesser monasteries only were marked out for destruction by the act, but they would find, in a little time, that the greater would meet with the same fate; that he hoped the king had better thoughts of the matter, than those giddy heads that promoted it. Then he concludes, that a debate of this nature would be more becoming an assembly of Turks, than a christian parliament.[2]

It was neither this, nor any such like speeches, that

[1] [Spelman, however, assures us, that the commons refused to sanction it, until intimidated by the threats of Henry. Having sent for the members, the tyrant informed them, that they must pass the bill, or he would take off the heads of its chief opponents.—Hist. of Sacrilege, 183.—*T.*]

[2] [In the former edition of Dodd, this speech is printed at length, among the records, and said to be taken from "The Life of Bishop Fisher." In that work,

were capable of influencing the parliament against passing the act. "In the preamble, there is a high charge of immorality laid against the lesser abbeys. This is grounded upon the report of the visitors, and rests chiefly upon their credit. And here the larger abbeys have the commendation of a regular behaviour. The preamble takes notice, farther, that there is a necessity of transplanting the monks of these little societies; and, without removing them to more numerous convents, their reformation was impracticable. Now it is somewhat strange, discipline should be most insignificant where there are fewest to be governed, and infect the rest; and that no regulation could be of force enough to keep a few people within compass. Had it not been for the authority of this preamble, one would have thought the greater monasteries would have been more difficultly managed. But these, the act tells us, were regular enough, and answered the ends of their institution."[1] Fuller takes the freedom to fancy there was something of *finesse* in this commendation. The lesser abbeys, he believes, could not be suppressed without the votes of the greater; for, of these latter, there were no less than twenty-six mitred barons, who sat in the house of lords.[2] It was prudence, therefore, to lay the apprehensions of these abbots asleep, and prevent their suspicion of falling under the same fate. And thus three hundred and seventy-six of these "ancient monuments of devotion," as lord Herbert calls them,[3] were discorporated and dissolved, a yearly revenue of 32,000*l.* accrued to the exchequer, and the goods and chattels, at a low valuation, amounted to 100,000*l.* However, the enriching the crown this way did not give a general satisfaction; for no less than 10,000 persons were sent into the world unfurnished, and in a manner undone, by this expedient. But to

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however, no such speech occurs; nor do I remember to have met with it in any other of the publications which I have consulted. As it is certainly entitled to no authority, and contains no historical information, I have omitted it.—*T.*]

[1] Collier. ii. 114. See Appendix, No. XLI. [2] Ch. Hist. 312.

[3] P. 441.

[1] The Speech is printed in Bouchet's Historical Collections, p. 211. whence Dodd, and I have only copied it. –

remove this general discontent, the politic Cromwell advised the king to sell these lands, at very easy rates, to the nobility and gentry, and to oblige them to retain the wonted hospitality, which would be both grateful to them, and engage them to assist the crown in all the late alterations, and would be pleasing to the people, when they found the old hospitality preserved. And upon a clause in the act, empowering the king to found anew such houses as he should think fit, there were fifteen monasteries and sixteen nunneries, which were more regular than the rest, refounded, or rather reprieved, till the general dissolution came afterwards.[1]

There was no room for apologies or remonstrances, in favour of the party under oppression. Arguments are little regarded, when things are carried on by a power without appeal; and those, that have the power, are never at a loss for reasons to palliate their proceedings, and set every thing in the best light. And Cromwell, the grand projector of the design, took some pains that way. "He said, the driving the monks out of the cloister, was only returning them to labour, and a lay character, which was no more than their first business and pretension. As for the rules of their institution, and their particular austerities enjoined them, he pretended, they might practice all this discipline and self-denial, without the forms of monastic confinement. But this way of talking looked like superficial and mercenary reasoning, in the opinion of other persons of learning and thought."[2] He must be an entire stranger to the corruptions of human nature, who imagines it can be kept within bounds, without some outward restraint; or that either civil or religious duties can be complied with, without such a provision. It is an idle spe-

[1] Burnet, i. 213, 214; Rec. 133, 134. [Stevens, however, has published an original paper, containing the names of the lesser monasteries which escaped immediate destruction, specifying the individuals to whom they had been granted, and distinguishing such of the houses as had actually been refounded, when the paper was drawn up. From this it appears, that the whole number respited was one hundred and twenty-three. Forty-six had already been refounded; five were still doubtful; and of these, no less than thirty-three had previously been promised by the king to different persons. Monast. ii Append. 17—19.—*T.*]

[2] Collier, ii. 180.

culation, to fancy that the essentials of a monastic state can be practised, with any profit or edification, where monastic rules are neglected, much less when they are abolished.

In the next place, we are to attend to the consequences of this dissolution, when the act came to be put in execution; how it was relished by the people, and what resentment they showed, upon the occasion. By way of restitution, some kind of provision was made for those poor creatures, that were turned out of doors. Men were furnished with a clergyman's coat and forty shillings, women with a decent gown, and liberty either to enter into some greater monastery, or starve at discretion.[1] This indulgence opened a gap for all sorts of licentiousness; and those of both sexes respectively, that were not virtuously inclined, or had not courage to look poverty in the face, were in a fair way of robbing on the high-way, or prostituting themselves for bread. The bishops and clergy, all this while, were at a kind of non-plus, how they were to behave themselves. They had, indeed, hitherto gone into all the court-measures, even this last project of the dissolution of religious houses, in which they had been flattered by some expectations; but then they were in hopes, that the rights of the church would have been more regarded; and, therefore, when this project was first talked of, they offered reasons against secularizing the abbey lands, and that they might be converted to other spiritual uses, and transferred to schools, hospitals, colleges, &c., which they took to be the design of the act, confirmed by the king's promise, and which was the usual and canonical way of proceeding, in former ages, when there happened to be an occasion of breaking into any pious establishment. But alas! the ecclesiastical body had neither interest, nor courage, to pursue this scheme. They were themselves still apprehensive of a farther humiliation. They had tithes, glebe-lands, impropriations, and many other advantages, still to lose, and did

[1] Herb. 427.

not know but the present ministry had a design entirely to strip all churchmen, and reduce them to a precarious dependence. This made them slacken their zeal, and be very circumspect, in what they said, or acted, in favour of the monasteries.

But if the bishops and clergy thought it prudence to sit down in silence, it was not so with a great many others, who became desperate, and were resolved to throw away their lives after their liberties. They conceived themselves to be injured, in several branches of their property, if a supreme power can be said to do any injury. Families, whose ancestors had been founders of monasteries, were deprived of the reserved rights and privileges; the poor, who were daily relieved, knew not how to support themselves; and the monks, who were actually thrown out of possession of what they looked upon to be a kind of birth-right, had a thousand motives to exasperate their minds, and make them seek for a redress.[1] But what had the greatest influence upon them was, an apprehension of a total subversion of the religion of their country; for it was visible to them, that some, who had the king's ear, were bending their endeavours that way. We may truly say, that the whole kingdom was very uneasy upon this account; but only some of the northern counties had the courage to draw their swords, and make a stand. They were first headed by Robert Aske,[2] a gentleman of considerable substance

[1] Burnet, i. 213, 217.

[2] [The rising under Aske had been preceded by that of the men of Lincolnshire. Headed by Makerel, abbot of Barlings, who had assumed the name of Captain Cobler, they assembled, to the number of about twenty thousand; and, with an oath "to be true to God, the king, and the commonwealth," loudly demanded the redress of their grievances. These grievances they embodied in a remonstrance, and forwarded to the king. They complained of the dissolution of the religious houses, and of the consequent destitution of "the poorealty of the realme;" of the restraints imposed on the distribution of property by the "statute of uses;" of the introduction, to the council, of Cromwell, Rich, and other "such personages, as be of lowe birth and smale reputation;" of the grant to the king of the tenths and first fruits of spiritual benefices; and of the promotion of the archbishops of Canterbury and Dublin, and of the bishops of Rochester, Salisbury and St. David's, men, who in the opinion of the remonstrants, had clearly "subvertyd the faith of Crist." Henry had already sent a force, under the duke of Suffolk, to oppose the insurgents. He now, however, consented to negotiate. A proclamation was issued, commanding the disaffected

and interest in the north, who styled his attempt the *pilgrimage of grace*. He ordered the chief standard to be painted with a crucifix and a chalice, to signify the motive of their rising, which was farther explained by a public manifesto, the substance whereof was, that the bishop of Rome should be restored to the supremacy he had lately been deprived of; that pernicious counsellors should be removed from the king; that care should be immediately taken to suppress all erroneous opinions in matters of faith; and that the monks, who had been ejected from their convents should be immediately replaced. Most of these particulars were drawn up in the form of an oath, which was administered to all of the confederacy.[1] In a little time, the army became very numerous, being reinforced by disaffected persons from Lancashire, Cumberland, Westmoreland, &c., among whom were many priests and monks, who had been forced out of their possessions, and great numbers of gentlemen and others, who had been either ruined, or great sufferers, by the dissolution. They all flocked to general Aske, who had his rendezvous in Yorkshire. But "to frighten the monks from applying to the rebels, and returning to their old seats, his highness ordered that the religious of Salley, Whalley, Norton, and Hexham, should be dragged out of the monasteries, and executed by martial law."[2] However, the army still grew every day more formidable, and several lords and
Oct. other persons of distinction went over to them;
20. even Dr. Lee, archbishop of York, though at first he was forced in, yet he, and some others in the same circumstances, took the oath drawn up by general Aske,

to return home: the more resolute retired, to join the followers of Aske, in Yorkshire; and the rest obtained a full pardon, on condition "that they should acknowledge their fault, deliver up their armour, and approve and maintain all the acts of parliament made since the king's reign." Speed, 1017, 1018; Herb. 474—476. In the Appendix, No. XLII., I subjoin, from the original, Henry's own account, sent to his ambassadors in France, of the origin of this insurrection, and of his preparations to suppress it.—*T.*]

[1] See Appendix, No XLIII. [In point of fact, the oath contained only a general engagement to defend the church, and obtain the removal of evil counsellors. The other "particulars" were *afterwards* stated, among the demands of the insurgents, mentioned in a subsequent note.—*T.*]

[2] Collier, ii, 132. [These religious had been restored to their houses by the insurgents. Herb. 477.—*T.*]

for the preservation of the king, and the liberties of the people, both in church and state.[1]

Meantime, the king was preparing against this dangerous insurrection, and sent down an army, commanded by the duke of Norfolk, the duke of Suffolk, the earl of Shrewsbury, and the marquis of Exeter. The rebels' army (for this title I must give them, though they fought for liberty and property) consisted of about 40,000 men, animated with zeal for religion, and not inferior to the king's troops in any respect. This made the court very cautious how they proceeded, it being judged a dangerous expedient to hazard the issue of a battle. The king's enemies were masters of Pomfret, York, and Hull, and were already in sight of Doncaster, when they were arrested in their progress, by a sudden swell of the waters of the river, which rendered the ford impassable. While both armies were within view, and preparing for an engagement, a herald was despatched from the duke of Norfolk, with certain articles, directed to general Aske. He received the herald, sitting in a kind of chair of state, between the lord Darcy and the archbishop of York. Upon this message, it was agreed, that a conference should be held at Doncaster, where, according to appointment, the duke of Norfolk and others were met by the chiefs of the insurrection, viz. lord Scrope, lord Latymer, lord Lumley, lord Darcy, sir Thomas Percy, Robert Aske, and about three hundred attendants, who had received instructions to lay the demands of the confederates before the king. Henry replied to these demands, in a paper written by himself:[2]

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[1] Herb. 476, 477; Burnet, i. 219; Speed, 1018—1020.

[2] [Henry's answer is in Speed, 1022—1024, and in Herbert, 481—485. Speed (1021, 1022) has also printed the demands of the insurgents, as they were laid before Henry. They were, that all heretical publications should be destroyed, all heretics and heretical bishops should be burned; that the statute of uses, the statute by which words were construed to be misprision of treason, and that by which tenths and first fruits were given to the king, should be repealed; that the pope should be restored to his ancient jurisdiction, the princess Mary to her place in the succession, and the late inmates of the suppressed monasteries to the houses from which they had been ejected; that the ancient liberties, privileges, and customs of the church should be restored and confirmed by act of parliament; that Audley, the chancellor, Cromwell, the privy seal, and Rich, the attorney-general, should be punished "as subverters of the good laws of

but to the duke of Norfolk he gave power to grant a pardon, in case the insurgents would disperse, six persons only excepted by name, and four more to be named. These articles being rejected, the duke of Norfolk immediately wrote to the king, and, with some difficulty, procured a licence to sign a general pardon, without any exception, with a promise, that a parliament should forthwith be assembled at York, for the discussion and redress of their grievances.[1] Upon this, general Aske disbands or dismisses his army, and is not only permitted to come up to London, but caressed by the courtiers, and even rewarded for the trouble he had taken. Such is the subtlety of politicians! when they are not able to accomplish their designs by force, they will own themselves to be in the wrong, that they may have leisure to alter their game, and draw the adverse party into a snare. And this was king Henry's method, who being dilatory in complying with the articles agreed upon, and, if I may take the liberty to say it, falsifying his word, it was too late perceived, that the concessions, he made, were only a mere amusement, to gain time.

1537 General Aske and the rest of his adherents, finding they were deluded, fly again to arms, and endeavour to rekindle, in the north, the fire that was lately extinguished. They had quickly raised a body of 8000 men, and laid siege to Carlisle; but the king's forces falling upon them, they were routed and dispersed, and most of the commanders, being taken prisoners, were soon after put to death: as namely, Robert Aske, executed at York, in June, 1537; lord Darcy on Tower Hill; lord Hussy, at Lincoln; sir Robert Constable, at

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the realm;" that Lee and Layton, the visitors of the northern monasteries, should be prosecuted for bribery, extortion, "and other abominable acts;" that no person, residing north of Trent, should be compelled to appear in any court of law out of York, unless summoned "upon pain of allegiance;" that the common law should be restored to its wonted authority; and that a parliament should shortly be assembled "in some convenient place, as Nottingham or York," for the discussion of such matters as should be laid before it.—*T.*]

[1] [Hardwicke Papers, i. 27—32; Herb. 479—481; Burnet, i. 219—222. Henry himself, however, endeavoured to create a belief, that he had entered into no engagement, either to pardon the insurgents, or to assemble a parliament. See his own account in the Appendix, No. XLIV.—*T.*]

Hull; lady Bulmer, wife to sir John Bulmer, otherwise called Margaret Cheyney, burnt in Smithfield; and sir Thomas Percy, sir Francis Bigot, sir Stephen Hambleton, sir John Bulmer, George Lumley, Nicholas Tempest, William Thurst, abbot of Fountain's, Adam Sudbury, abbot of Gervaux, the abbot of Rivers, and William Wold, prior of Bridlington; who all suffered upon the same account, with a great many other inferior persons, whose names are not recorded.[1]

This was the only forcible opposition king Henry VIII. met with, in his attempts upon the liberties of the church. And who can wonder if some endeavours were made use of, to recover a freedom so well established, and of so long a standing? The body parts not with the soul, its ancient companion, without a great many convulsions and agonizing throbs; and how could England give up her ancient practices and spiritual life, without a remarkable reluctance at the parting? Running to arms, upon such a provocation, has been customary in most nations: and where either civil or religious rights were invaded, resistance never wanted advocates among men of all religions. And certainly, "if resistance of the chief magistrate had been justifiable in any case, those who appeared in arms, upon the dissolution of the monasteries, had a strong colour for their undertaking. For, were not the old land-marks set aside, and the constitution new modelled? For, do not the liberties and immunities of the church stand in the front of Magna Charta? and are they not particularly secured, in the first place? Was not the king's coronation oath lamentably strained, when he signed the dissolution act? For, had he not sworn to guard the property of his subjects, to protect the religious, and maintain them in their legal establishment? The ancient nobility were thrown out of the patronage of their monasteries, lost their corrodies, and the privilege of their ancestors' benefactions. The rents were raised, and the poor forgotten, as they

[1] Herb. 491, 492; Burnet, i. 224; Speed, 1025, 1026. [Sanders (155, 156) has given a much longer list of the persons executed on this occasion.—*T.*]

complained, by the new proprietors. Besides, they were afraid their friends, in the other world, might suffer by these alienations, and the dead fair the worse, for want of the prayers of the living. Granting, therefore, the matter of fact, that the prosecutions were legal, which way are the abbots (who rose in the north) more to be blamed, than the barons, who took up arms, in defence of liberty and property, and appeared in the field, against king John and Henry III.? The abbeys, without question, had all the security the civil magistrate could give them; no estate could be better guarded by the laws. Magna Charta, as I observed, was made particularly in favour of these foundations, and confirmed, at the beginning of every parliament, for many succeeding reigns. These things considered, we must, of necessity, either condemn the barons, or acquit the monks, and justify the northern rebellion."[1] Now, if any one is disposed to mention these insurrections, by way of reproach to the catholic cause, the tables may be turned upon him. Did not Wyat, Cranmer, Ridley, and Poynet, with several other great men of the protestant party, appear both in the field, and in the pulpit, against Mary, queen of England? Was not Mary, queen of Scots, opposed and obliged to abdicate, by the reformers of that nation? Was not Germany distracted near seventy years, upon the same laudable motive? Did not the states of Holland withdraw themselves from Spain, in defence of liberty and property? Did not the reformers in France resist their lawful king, near sixty years, in defence of religious liberties? Such reproaches, therefore, are very inconsistent, and made with a very ill grace. It is more adviseable to refrain from reflections, and sit down content with reprisals. Though, indeed, there seems to be some difference in the case: the monks showed a prescription of many ages, and the repeated statutes of above thirty parliaments; whilst the others fought against the law, and threw out the old possessors, upon a precarious title.

[1] Collier, ii. 138.

It was the opinion of some, that this dangerous insurrection would have induced the king to have stopped his hand, and either to have restored the monasteries to their rights, or else to have contented himself with a reformation only; and this was the substance of his promise to the nobility and gentry in the north, before they would yield to lay down their arms.[1] But that affair had a quite different effect; for the confederacy being broke, and the party dispirited, by having such a number of their chief men executed, this encouraged the king to proceed, and put the remainder of his designs in execution, having nothing now to apprehend by way of force. The seizure of the greater monasteries, as it is thought, had been concerted from the beginning, but being too bulky an undertaking, it was to be carried on gradually. It was resolved, therefore, that the greater monasteries should share the fate of the lesser; and, as formerly, when these were seized, so now, several serviceable reports were spread abroad, to make the common people relish the undertaking. It was rumoured, that cardinal Pole was exciting all Europe to engage in a kind of crusade against England; that the emperor and king of France had entered into an alliance, to call king Henry to an account, for having violated the rights of the church, and, in some measure, the rights of all mankind; that a general and heavy tax would be necessary, to make the nation capable of withstanding so many formidable enemies; and (what was principally intended by these reports) that the seizure of the greater monasteries would be a proper expedient, and defray all the expense, to the great ease of the subject. "But all this noise of an invasion was looked upon, as no better than management and mystery, by a great many."[2] Some there were, who, to avert the blow, thought it would not be an unseasonable insinuation to remind the king, that the visitors had given the greater monasteries

[1] [This is the assertion of Sanders (155), but it is certainly without foundation. Henry only promised to assemble a parliament, in which this, and other matters contained in their demands, should be discussed. Herb. 481.—*T.*]

[2] Collier, ii. 160; Herb. 506, 507.

an excellent character, for their morals, and exactness in monastic discipline, which was taken notice of, and owned publicly, in parliament.[1] But this inconsistency was not regarded; the king had more motives than one to pursue his design. In fact, "the fate of the abbeys was irrecoverably fixed. The king's passions ran so strong for a dissolution, that he would scarce endure the report of a fair character given the religious."[2] However, this consideration obliged the managers to be a little more artificial in their proceedings, which, in general, was, to make the world believe, that the monasteries were not wrested from the possessors, by compulsion, but delivered up, by a voluntary surrender. Now the method they practised was this.

"In the vacancy of the greater houses, such persons were elected, as were disposed to comply with the
1537-8 court measures.[3]. . When they found the abbots indisposed for their purpose, they tempted them with the promise of large pensions during life. . When they proved untractable, upon motives of conscience or honour, they were highly complained of for their disobedience. . Spiritual directors, after several other persuasives, told them plainly, that they were bound in conscience to submit to the king's pleasure. . When large pensions, which were sometimes given, and well paid too, failed of success, they applied to menacing and rigour. . Some abbots were deprived, and others more manageable put in their room. . The commissioners took the convent seals from some houses. This was, in a manner, laying close siege to them. Thus their communication and provision was, in a great manner, cut off. They could neither make leases, nor sell their jewels. By this means, their paying their debts, and supplying their occasions, was oftentimes impracticable.

[1] "Wherein, thanks be to God, religion is well kept and observed." Preamble to Stat. 27 Henry VIII. c. 28, for the dissolution of the lesser monasteries.

[2] Collier (ii. 156), arguing from a letter, written by Giffard, one of the visitors, and addressed to Cromwell, June 19, 1537.

[3] [Even Burnet acknowledges the same. "All the abbots," says he, "were now placed by the king, and were generally picked out, to serve his turn." i. 226.—*T.*]

And thus the garrison was reduced at last, and starved to a surrender. . The whole matter was so managed, as if nothing rough or compulsive had been offered, but that the king had been courted to accept the monasteries : and if any religious gave out their surrenders were involuntary, a mark of dislike was set upon them. . And thus, by menacing and presents, by promises and persuasions, and by all the artifices, which were like to batter the constancy, and prevail upon the passions, of mankind, he (Cromwell) brought the abbots to a surrender, and made himself master of his project."[1] Even Fuller, speaking of the priory of Aldgate, says, "whereas all other abbeys afterwards were stormed by violence, whatsoever is plausibly pretended to the contrary, this only was fairly taken by composition."[2] It was by these methods, that the commissioners, in about two years' time, put an end to this pious work (for so it must be called, out of respect to that supreme power that brought it about), and demolished the monuments of the British, Saxon, and Norman glory, which, for above a thousand years, had been undeniable proofs of virtue and religion; but now, to the scandal both of Turks and Infidels, were sacrificed to lust, avarice, ambition, and revenge; and little remains to put us in mind of the zeal of our forefathers, or the impiety of their successors, besides heaps of rubbish, and a bare catalogue of those religious houses, many whereof had a place in parliament, in the house of lords.[3]

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[1] Collier, ii. 157, 158, 159. Dugdale, in his Hist. of Warwickshire (801, 802), speaks in the same manner. [2] Fuller, 307.

[3] The following is a list of the mitred abbots:—St. Albans, Westminster, St. Edmondsbury, St. Bennet of Holme, Shrewsbury, Croyland, Abingdon, Evesham, Gloucester, Ramsey, St. Mary's York, Tewkesbury, Reading, Battle, Winchcombe, Hyde near Winchester, Cirencester, Waltham, Malmesbury, Thorney, St. Augustin's Canterbury, Selby, Peterborough, St. John's Colchester, Coventry, Tavistock, St. John's of Jerusalem, and Glastonbury. Besides these, there were several other monasteries better endowed than some of those above, though the abbots were not mitred, viz.—Fountain's, in Yorkshire, Lewes in Sussex, St. Werberg's in Chester, Leicester, Merton in Surrey, Furness in Lancashire, and Sion House. Again, there were four nunneries which held of the king in entire barony, viz.—Barking in Essex, Shaftesbury, St. Mary's of Winchester, and Wilton.

As to the number of the other religious houses, it is a difficult matter to be

I have given an account above, how the religious were disposed of, upon the dissolution of the lesser monasteries. As for the greater, the abbots and other heads of houses were considered, with annual pensions for life, under the broad seal, which were proportioned to the willingness they showed in making a surrender. The members of every convent had also some small yearly allowance, though often very ill paid, as it appears from several complaints, and orders issued out for a better compliance with the statutes in those cases. The nuns had commonly about four pounds a year allowed them, "and that only for those, that had been in the convent *a long time* before the dissolution thereof; otherwise, I meet with no portions to those that lately were entered into the houses, being outed, and left at large, to practice the apostle's precept, 'I will that the younger women (so our author expounds the text) marry, bear children,' &c."[1] Many of the monks retired to the universities, where they privately followed their studies; others were entertained by their friends and relations, where they husbanded their small pensions, in the best manner they were able. And those that were willing to comply with the court, in the article of the supremacy,

exact in the computation. Mr. Camden's account is, that they amounted to 645 in England and Wales; but a list, taken out of the court of first fruits and tenths, makes them 754. This latter account, perhaps, takes in some of the collegiate churches and hospitals, which may occasion the variation. (See Collier, ii. 164, 165). Mr. Burton gives us a list, drawn out of Leland's MSS., which may be found in Speed. "How defective and erroneous this catalogue is," says Mr. Tanner, "may be seen by our Notitia, in which the reader will find some hundreds of mistakes and omissions, corrected and supplied out of the Monasticon, and other good authorities" (Preface to Notitia Monastica, 1st edit.) The annual revenues of these religious houses was computed at 135,522*l.* 18*s.* 10*d.*, and the moveable goods were in a manner inestimable. The valuation in Burton and Speed's list is said to be taken from an original, given in by the commissioners to Henry VIII. There is another valuation in Mr. Dugdale, differing from theirs, and which he pretends is agreeable to an ancient MS. in the Cottonian Library. Mr. Leland values several of the monasteries after a different manner from all the rest; and Mr. Tanner owns he dares not undertake to reconcile so many different accounts.

[1] Fuller, 340—346. ["The pensions to the superiors," says Dr. Lingard, "appear to have varied from 266*l.* to 6*l.* per annum. The priors of cells received generally, 13*l.* A few, whose services merited the distinction, obtained 20*l.* To the other monks were allotted pensions, of six, four, or two pounds, with a small sum to each, at his departure, to provide for his immediate wants." Hist. of Eng. iv. 257, note.—*T.*]

&c., were frequently preferred to benefices; in which cases, their pensions returned to the king, or to those who had purchased the lands upon which the pensions were charged.[1] Now, if these pensioners happened to be deprived of their right, by the officers employed in these matters (as they often were, by questioning their claim, and frivolous demurs in payment), the way to justice was both troublesome and chargeable; and, as the ejected religious were looked upon as a dead-weight upon the exchequer, so they found as few friends to assist them, in recovering their pensions, as they did advocates to hinder the seizure of their lands.

The religious orders being thus deprived of all their substance, both lands and goods, the next contrivance was, to have them bestowed upon the king, to increase the royal revenue (as it was pretended), but, indeed, upon a farther view, that the hungry courtiers might divide the plunder.[2] To bring this about, "the members of both houses were informed in parliament, that no king or kingdom were safe, but where the king had three abilities; first, to live of his own, and able to defend his kingdom, upon sudden invasion or insurrection; secondly, to aid his confederates, otherwise they would never assist him; thirdly, to reward his well-deserving servants. Now the project was, if

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[1] ["By the way, this was a temptation to the king and chancellor, oft-times to prefer mean men, which formerly had been monks and friars, to no mean livings; because, beside the general want of able ministers, such incumbents being so provided for, the exchequer was disburdened from future paying them any exhibition." Fuller, 341.—*T*.]

[2] [It will be remarked, that the first step, in this process of confiscation, was, to obtain what was called a voluntary surrender of the property; the second, to vest that property, by act of parliament, in the crown. The former was part of Henry's policy, which sought to avoid the odium of an arbitrary seizure; the latter was necessary, to legalize the surrenders, inasmuch as the abbots, and other members of the religious houses, possessing but a life interest in the estates, could, in law, convey nothing more to the king (Burnet, i. 228; Collier, ii. 164). The act, however, which is the only statute on the subject, strictly confines itself to its avowed object. It gives to Henry all the property, moveable and immoveable, of the several monasteries, which had already been, or should hereafter be, "suppressed, relinquished, forfeited, or given up:" but it contains no clause, whereby any religious establishment is dissolved, or any monastic property, not previously surrendered, is alienated (Stat. 31 Hen. VIII. c. 13). Hence, when the monks refused to surrender, Henry, in order to obtain the property by forfeiture, charged them with treasonable practices.—*T*.]

the parliament would give unto him all the abbeys, priories, friaries, nunneries, and other monasteries, that, for ever in time then to come, he would take order, that the same should not be converted to private use; but, first, that his exchequer, for the purposes aforesaid, should be enriched; secondly, the kingdom be strengthened by a continual maintenance of 40,000 well-trained soldiers, with skilful captains and commanders; thirdly, for the benefit and ease of the subject, who never afterwards (as was projected), in any time to come, should be charged with subsidies, fifteenths, loans, or other common aids; fourthly, lest the honour of the realm should receive any diminution of honour by the dissolution of the said monasteries, there being twenty-nine lords of parliament of the abbots and priors, that held of the king *per baroniam*, that the king would create a number of nobles. The said monasteries were given to the king, by the authority of divers acts of parliament; but no provision was therein made for the said project, or any part thereof; only, *ad faciendum populum*, these possessions were given to the king, his heirs, and successors, to do and use therewith his and their own wills, *to the pleasure of Almighty God, the honour and profit of the realm.* Now, observe the catastrophe. In the same parliament of the 32nd of Henry VIII., when the great and opulent priory of St. John's of Jerusalem was given to the king, he demanded, and had, a subsidy both of the laity and clergy; and the like he had in the 34th of Henry VIII.; and in the 37th of Henry VIII., he had another subsidy; and, since the dissolution of the aforesaid monasteries, he exacted great loans, and against law received the same."[1] In order to manage these revenues, accruing to the crown by the dissolution of monasteries, a court of augmentation was erected, though it scarce deserved that name, the monastic lands being in a great measure disposed of to the king's favourites, before the court was thoroughly established; "wherein," as Fuller observes, "the officers

[1] Coke, Instit. iv. 44, apud Collier, ii. 161, and Dugd. Monast. i. 1049.

were many, their pensions great, crown-profits thereby small, and causes therein depending few; so that it was not worth the while, to keep up a mill to grind that grist, where the toll would not quit cost."[1] However, this court subsisted eighteen years, chiefly for the benefit of the clerks, &c., and was not dissolved till the first of queen Mary, 1553, when those pensioners, that remained alive, were in hopes of being better provided for.

Several disinterested writers, after having seriously considered this dissolution of monasteries, as well in itself, as with regard to the consequences, have candidly owned, that nothing could be carried on more scandalous to religion, or more detrimental to the civil government; to say nothing how criminal it might be, in the sight of God (whatever the ruling powers might pretend), to drive so many thousand persons out of their possessions, and obstruct them in the duties of fasting, prayer, and recollection, which are practices recommended and enjoined by the Gospel. Every station in life, and every order of men, felt the weight of king Henry's hand, and were considerable sufferers by the undertaking; both nobility and gentry, rich and poor, young and old, clergy and laity, the ignorant and the learned, the living and the dead, became sensible of many inconveniences, and experienced innumerable calamities, which flowed from it. "The temporal nobility and gentry had a creditable way of providing for their younger children: those who were disposed to withdraw from the world, or not likely to make their fortunes in it, had a handsome retreat to the cloister. Here they were furnished with conveniences for life and study, with opportunities for thought and recollection, and, over and above, passed their time in a condition not unbecoming their quality. The charge of the family being thus lessened, there was no temptation for racking of tenants, no occasion for breaking the bulk of the estate, to provide for the younger children. Thus figure

[1] Fuller, 349.

and good housekeeping was maintained with greater ease, the entireness of the estate, and, by consequence, the lasting of the family, better secured. It is true, there were sometimes small sums given to the monasteries, for admitting persons to be professed, but, generally speaking, they received them gratis. . . . The abbeys were very serviceable places for the education of young people; every convent had one person or more, assigned for this business. Thus the children of the neighbourhood were taught grammar and music, without any charge to their parents; and, in the nunneries, those of the other sex learned to work, and read English, with some advances in Latin. . . . Farther, it is to the abbeys we are obliged for most of our historians, both of church and state. These places of retirement had both most learning and leisure for such undertakings; neither did they want information for such employments. For, not to mention several episcopal sees were founded for the cloister, the mitred abbots, as we have seen, sat in parliament, and not a few of the religious had a share in the convocation. It is not denied, but that they were some of the best landlords; their reserved rents were low, and their fines easy; and sometimes the product of the farms, without paying money, discharged the tenants in a great measure. They were particularly remarkable for their hospitality. The monasteries were, as it were, houses of public entertainment for the gentry that travelled; and, as for their distributions of charity, it may be guessed from one instance. While the religious houses were standing, there were no provisions of parliament to relieve the poor, no assessment upon the parish for that purpose; but now, this charge upon the kingdom amounts, at a modest computation, to 800,000*l.* per annum."[1] Now, if we compare the annual income of 135,522*l.* 18*s.* 10*d.*, which was the valuation of the monastery lands, with the poor's tax, which amounts to about 800,000*l.* per annum,[2] it will appear what the na-

[1] Collier, ii. 165.

[2] [This was in 1737: in 1831, it had risen to the enormous sum of 8,622,920*l.* —*T.*]

tion has got by the dissolution. I own, consideration is to be had to the different valuation of money, in those days, and these; but this makes no difference in the nature of the burden, which the present possessors of the abbey lands would find, if the whole charge of the poor were to be thrown upon them. It is allowed, the nation is grown more populous, and, by this, the number of poor are proportionably increased; but are not the riches and trade of the nation increased, in the same degree? Now, it is somewhat mysterious, how a nation, that increases in wealth, should abound more with beggars, unless sacrilege has entailed that blessing upon them.

But, to proceed from these, to other inconveniences, which flowed from the same source. "Besides this rent-charge, as it were, drawn upon the whole nation, by the dissolution, the ancient nobility suffered considerably; for the seizure and surrender of the abbeys being confirmed to the crown, by act of parliament, the services, reserved by the founders, were extinguished of course. To mention some of them: the abbeys, that held by knight's service, were bound to provide such a number of soldiers as their estates required, and to furnish them for the field at their own charges. Thus, their men were to appear at the musters, and attend the heirs of their founders, or such benefactors who had settled a knight's fee upon them: secondly, where they held by knight's service, they were bound to contribute towards a fortune for marrying their lord's eldest daughter: and, thirdly, to pay a sum of money, to defray the expense of knighthood, when that distinction was conferred upon the founder's eldest son: lastly, the founders had the benefit of corrodies, that is, they had the privilege of quartering a certain number of poor servants upon the abbeys. Thus people, that were worn up with age and labour, and in no condition to support themselves, were not thrown up to starving, or parish collections, but had a comfortable retreat to the abbeys, where they were maintained, without hardship, or marks of indigence, during life."[1]

[1] Collier, ii. 165.

Again, the nation suffered very much as to learning and improvement in the liberal sciences, by the dissolution of monasteries, and the suppression of an "order of men who were once honourable, and always serviceable, in the church:—They promoted a general improvement; they were very industrious in restoring learning, and retrieving the country from the remarkable ignorance of those times .... The monasteries were the schools and seminaries of almost the whole clergy, both secular and regular; .... they bred their novices to letters, and, to this purpose, every great monastery had a peculiar college in each of the universities. And, even to the time of their dissolution, they maintained great numbers of children at school, for the service of the church. And, a little before the reformation, many of the great monasteries were nurseries of learning. Their superiors were men of distinction this way, and great promoters of their own sufficiency in others. Of this rank we may reckon Kidderminster, abbot of Winchelcombe; Godwell, prior of Canterbury; Voch, prior of St. Augustin's; Wells, prior of Ely; Holbeach, prior of Worcester; Islip, abbot of Westminster; Webbe, prior of Coventry; and many others. From hence it appears, the monks deserved a fairer character than is sometimes given them; and that, in the darkest and most exceptionable ages, they were far from being enemies to learning."[1] Upon this occasion, Mr. Tanner takes the liberty to say, "It would but be a common justice to infuse a better opinion of monasteries into the generality of Protestants."[2]

The monks did not only apply themselves to learning, but guarded the springs from whence it was derived. "Most of the learned records of that age were lodged in the monasteries. Printing was then but a late invention, and had secured but a few books, in comparison of the rest. The main of learning lay in manuscripts; and the most considerable of these, both for number and quality, were in the monks' possession.

[1] Collier, ii. 19. [2] Pref. to Notit. Monast. 1st Edit.

But the abbeys, at their dissolution, falling sometimes into hands, who understood no farther than the estates, the libraries were miserably disposed of. The books, instead of being removed to royal libraries, to those of cathedrals, or the universities, were frequently thrown in, to the grantees, as things of slender consideration. Now, these men oftentimes proved a very ill protection for learning and antiquity. Their avarice was sometimes so mean, and their ignorance so undistinguishing, that, when the covers were somewhat rich, and would yield a little, they pulled them off, threw away the books, or turned them to waste-paper. Thus many noble manuscripts were destroyed."[1] Nay, so great a spoil was made in the republic of learning, that John Bale, sometime bishop of Ossery, in Ireland, "a man," says Collier, "remarkably averse to popery, and the monastic institution,"[2] gives this lamentable account of what he himself was an eye-witness to: "I know a merchantman (which shall at this time be nameless), that bought the contents of two noble libraries, for forty shillings price; a shame it is to be spoken. This stuff hath he occupied, instead of grey-paper, by the space of more than these ten years, and yet he hath store enough, for as many years to come. A prodigious example is this, and to be abhorred of all men, which love their nation, as they should do. Yea, what may bring our realm to more shame and rebuke, than to have it noised abroad, that we are despisers of learning? I judge this to be true, and utter it with heaviness, that neither the Britons, under the Romans and Saxons, nor yet the English people, under the Danes and Normans, had ever such damage of their learned monuments, as we have seen in our time."[3] But Bale is not alone in this charge. "Fuller breaks out into a passionate declamation, upon this occasion, and complains that all arts and sciences fell under this common calamity. How many admirable manuscripts of the fathers,

[1] Collier, ii. 166. [2] Ibid. [3] Apud Fuller, 335.

schoolmen, and commentators, were destroyed by this means? What number of historians of all ages and countries? The holy scriptures themselves, as much as these gospellers pretended to regard them, underwent the fate of the rest. If a book had a cross on it, it was condemned for popery; and those with lines and circles were interpreted the black art, and destroyed for conjuring. And thus (as Fuller goes on), divinity was profaned, mathematics suffered for correspondence with evil spirits, physic was maimed, and a riot committed on the law itself." [1]

Learning being thus driven out of the monasteries, the poor remains retired into the two universities for shelter, where it subsisted in a very starving condition, and was daily apprehensive of being entirely subdued and demolished. Mr. Wood, the Oxford historian, gives us a general idea of this matter. He tells us, that, whereas formerly there were in Oxford near 300 halls or private schools, besides the colleges, now not above eight were remaining. They had constantly been supplied with students from the monasteries, and every religious order had a place of residence or school, where they prepared themselves for academical performances and degrees. The nobility and gentry, in like manner, had filled the universities. But now, the monasteries withdrew their students, the nobility and gentry called home their youth, and the genius of the whole nation seemed to be turned from letters to studies of a quite different nature.[2] It was the general dis-

[1] Collier, ii. 166.

[2] Accisas jam res nostras, immo pene deploratas, vel ex aularum nostrarum paucitate intelligas; nam licet trecentas olim, vel adhuc plures, et famâ constanti, et registrorum fide, ductus, extitisse crederim, ad octo jam recedisse deprehendo. . . . . Olim singuli nostrûm annuum stipendium habuimus, aliqui a nobilibus, nonnulli ab his qui monasteriis præsunt, plurimi à presbyteris quibus ruri sunt sacerdotia. Nunc vero . . . . . abbates suos monachos domum accersunt, nobiles suos liberos, presbyteri suos consanguineos. Sic minuitur scholasticorum numerus, sic ruunt aulæ nostræ, sic frigescunt omnes liberales disciplinæ. Collegia solum perseverant. . . . . *Sane quidem literatorum studia tam penitùs restinxit cœnobiorum eversio, ut juvenes, artes omnes ingenuas perdendas iri suspicati, ad munera civilia, vel etiam mechanica, sese converterint.* —Antiq. Oxon. 262, 265.

couragement, which the ecclesiastical state lay under, that occasioned most persons to employ their time and parts some other way. Had king Henry VIII. returned the impropriations to the clergy, and bestowed the monastic lands to other spiritual uses, as he promised in the beginning, it would have been some encouragement for the English youth to have followed their studies, in hopes of preferment. But, when these things were not performed, but, on the contrary, both tithes, and many other ancient rights of the church, were secularized, and entirely settled upon the laity, this struck a damp upon the spirits of all those, who (had things been otherwise) might have employed themselves in academical learning. Now, though, as Mr. Collier observes, "the dismembering the tithes and glebes from the parochial priests, and annexing them to monasteries, was a modern encroachment, defeated the original settlement, and was no better than downright popery (for it was the popes who made these appropriations, and broke in upon the ancient practice); still, the religious character of the monks, and their having several priests to supply the cure, gave some pretence for these alienations. But the laity have no character for a plea of this nature; they are in no condition to perform the sacerdotal office, nor discharge any of those duties, for which the church was endowed."[1] So that, to speak plainly, as the matter is, neither the clergy of the church of Rome, in former days, nor the reformed clergy of late, were well pleased with the alienation of tithes, as it was managed, either by the bishops of Rome, or king Henry VIII. Originally the tithes belonged to the parochial clergy. Now, when monasteries were founded under the Saxons, lands were settled upon them out of the founders' substance, and it seldom happened that any tithes were appropriated to them, unless they lay within the precincts of the convent. But, by degrees, especially when the Normans came to govern, they had a cheaper

[1] Collier, ii. 163.

way of founding religious houses, which was, by stripping the parochial clergy of their tithes, and appropriating them for the subsisting of the monks. This being commonly done by the pope's orders, and the king's concurrence, it was in vain to make any opposition. And, what still farther incommoded the clergy, several of these monasteries obtained exemptions from episcopal jurisdiction, which was a means of lessening their power, as the other was of depriving them of a great part of their substance. All that the clergy could obtain, upon such occasions, was, to become vicars, with some small endowment of lesser tithes. Now, at the dissolution, king Henry left the vicarages as he found them; but, as for the great tithes, such as were appropriated to the monasteries, most of them were bestowed upon laymen, which has been a continual subject of complaint among the reformed clergy, who take themselves to have a right to all impropriations, as well upon account of the king's promise, as from the nature of the thing itself, which seems not to allow of secularizing tithes. But, if the reformed clergy have just grounds of complaints, certainly the catholic clergy, who were the original proprietors, have reason to think themselves hardly dealt with.

But, to leave this digression, and proceed to a farther account of the calamities occasioned by the dissolution. Foreign nations stood amazed at these proceedings, but were not sufficiently interested to show their resentment, or begin a quarrel, upon that account. "England herself sat sighing and groaning, to see her wealth exhausted, her money embased and mingled with copper, her abbeys demolished, which were the monuments of ancient piety."[1] Like a jaded horse, that has spent his natural vivacity, but is forced to jog on, the remainder of the journey, under the severe discipline of the whip and the spur, so, such as were dilatory, or refused to comply with the court-measures, in the surrender of their lands and goods, were easily

[1] Hearne's Camden, i. 11.

brought within the reach of the late statutes, and, by this means, great numbers were starved in prison, while others were publicly executed, upon very slender information, and sometimes without any form of law.[1] When this behaviour of the king of England is considered, it will be scarcely surprising to find, that both he and his adherents are often accused of avarice, sacrilege, and cruelty, in the management of this affair, and this not only by catholic writers, but also by protestants, who have spoke their minds sincerely, as to this matter.[2] Neither is the fatality, which has visibly attended the purchasers and possessors of abbey-lands, to be disregarded; for, though the methods of divine providence are not to be pried into, with too much curiosity, yet both sacred and profane history furnish us with many instances, how highly heaven resents the public injuries done to the church; and this England has constantly experienced, ever since king Henry VIII. made this remarkable seizure of the lands and goods that belonged to the church. Speaking of abbey-lands, the younger Spelman says, "Like the dust flung up by Moses, they presently disperse all the kingdom over, and at once become curses, both upon the families and estates of the owners; they often viciously spending, on their private occasions, what was piously intended for public devotion; insomuch that, within twenty years next after the dissolution, more of our nobility, and their children, have been attainted, and died under the sword of justice, than did from the conquest to the dissolution, being almost 500 years; so as, if thou examine the list of the barons, in the parliament of the 27th of Henry

[1] [Thus the three abbots of Reading, Colchester and Glastonbury, were executed as traitors (Stevens, Monast. i. 451, 452; Stowe, 576); the members of the Charterhouse, committed to Newgate, were left to perish through hunger and disease. They were originally ten in number: but when Bedyl, one of the visitors, made his report to Cromwell, they had been "almoost dispeched by th'and of God," to the great gratification of the writer. The sum of Bedyl's report stands thus: "Ther be departed Greenewode, Davye, Salt, Peereson, Greene. Ther be even at the poynt of dethe Scryven, Reedyng. Ther be sycke Jonson, Hore. One is hole, Bird." Ellis, ii. 76—78.—*T.*]

[2] "All which, being by some openly called rapine and sacrilege, I will no way excuse." Herb. 508.

VIII., thou shalt find very few of them, whose son doth, at this day, inherit his father's title and estates; and, of those few, many to whom the king's favour hath restored what the rigorous law of attainder took, both dignity, lands, and posterity. And, doubtless, the commons have drunk deep in this cup of deadly wine; but they, being more numerous, and less eminent, are not so obvious to observation."[1] "However, it will not be amiss to insert the observation of a most worthy antiquary (the elder Spelman), in the county wherein he was born, and best experienced; who reporteth, that, in Norfolk there were one hundred houses of gentlemen, before the dissolution of abbeys, possessed of fair estates, of whom so many, as gained accession by abbey lands, are, at this time, extinct, or much impaired;—bemoaning his own family, under the latter notion, as diminished by such an addition."[2] And I believe, he that will take the pains to run through the several counties of England, and make the same observation, will find, that, in such families as have been possessors of abbey lands, they have slipped through their fingers, and been prodigally spent, in all sorts of extravagances, after the example of the first invader, Henry VIII., of whom our historians relate, "that he made a grant to a gentlewoman of a religious house, for presenting him with a dish of puddings, which happened to oblige his palate; that he played away many a thousand a-year belonging to the monasteries; and, particularly, that Jesus's bells, hanging in a steeple not far from St. Paul's, London, very remarkable both for their size and music, were lost, at one thrown, to Sir Miles Partridge"[3] For the rest, I remit the reader to his own eyes, if he has the curiosity to view those ancient places of divine worship, which now are become tippling-houses, stables, and dog-kennels. And who can behold such dismal heaps of ruined fabrics, but he will conclude, that some bar-

[1] Clem. Spelman, preface to his father's treatise "De non temerandis ecclesiis," p. 42.
[2] Fuller, 371.
[3] Stowe's Survey of Lond. apud Collier, ii. 166.

barous nation had invaded our land? But, when he understands, that neither Goth, Vandal, nor Turk, but a christian king, had made that havoc; when he finds that there is nothing but the bare name of reformation to justify the undertaking, how will he be puzzled to fix the gospel upon such a basis, where sacrilege is applauded, and recommended to posterity, as an effect of religious zeal?

King Henry, all this while, was not ignorant, that, as what he had done had an evil aspect, so it could not fail of making an impression in most people, very little to his reputation; wherefore, to recover himself in that respect, he would do something that looked well, in the eye of the world, and employ some of the booty he had got from the monasteries, in pious uses; as, indeed, he had promised to do the whole. To this purpose, a bill was brought into parliament, in the year 1539, with a design of erecting several new bishoprics and deaneries. "'Twas penned at court, and, therefore, it is no wonder to find some hard expressions bestowed upon the monasteries."[1] By a rough draught list in the Cottonian library, it appears, as if there had been a remote design, at first, of fixing episcopal sees in the following counties, viz. Essex, Hertfordshire, Bedfordshire and Buckinghamshire, Oxford and Berkshire, Northampton and Huntingdon, Middlesex, Leicestershire and Rutlandshire, Gloucestershire, Lancashire, Suffolk, Stafford and Salop, Nottingham and Derby, and lastly, Cornwall.[2] "If it be inquired how it came to miscarry, it may be answered, the king was disabled from executing this project. He quickly exhausted himself upon the courtiers. The measure of his bounty was no less extraordinary, than the manner of his acquisition, insomuch, that he may be almost said to have snatched with one hand, only to throw away with the other."[3] However, in a year or two, something was effected of this kind;

[1] Collier, ii. 172.

[2] Cleopatra, E. iv. 304. [It is printed in Strype, i. Rec. 275, in Burnet, i. 251, and in Collier, ii. 172.—*T.*]

[3] Collier, ii. 172.

and, before the end of 1542, six new bishoprics were erected, and endowed, viz. Westminster, Chester, Gloucester, Peterborough, Oxford, and Bristol; as also eight deaneries, Canterbury, Winchester, Ely, Norwich, Worcester, Rochester, Durham, and Carlisle; to which may be added two hospitals, Christchurch, or the Greyfriars, and St. Bartholomew's; and to these Trinity college in Cambridge, and King's college in the said university, which were founded, the latter end of Henry VIII., and the beginning of the succeeding reign.[1] If these foundations were designed by way of restitution to the church, they bore no proportion; the revenues of two or three of the greater monasteries would have answered all the expense. However, they served a turn, and stopped a great deal of clamour. "Besides, all the bishoprics of king Henry VIII.'s erection were so lamentably impoverished, that the new bishops, at their first promotion, were forced to beg for their living, and subsist on the benevolence of their clergy."[2] Again, Westminster, after a few years, was struck out of the number; and king Henry, as if he repented for this fit of zeal, in returning so much back to the church, made reprisals upon several ancient episcopal sees. Seventy manors belonging to York were taken away by act of parliament, and Holgate, the archbishop, had very little in exchange; the greatest part of the lands belonging to Durham were many years secularized; Cranmer

[1] Fuller, 338, 339; Herb. 508. [Henry's foundations are not all comprised in this list. From an instrument in Rymer (xv. 77), we know that he converted fourteen abbeys and priories into cathedral and collegiate churches, that he erected a dean and chapter in each, and that to each of these he assigned a competent endowment, in manors, lands, and other possessions. They were, Canterbury, Rochester, Westminster, Winchester, Bristol, Gloucester, Worcester, Chester, Burton-on-Trent, Carlisle, Durham, Thornton, Peterborough, and Ely. To these, however, he attached the obligation of contributing largely towards the support of their own poor, and the repair of the highways, in their own immediate district. The chapters of Canterbury and Westminster were each to pay 100*l.* annually to the poor, and 40*l.* towards the repair of the highways: the others were to contribute different sums, in proportion to the amount of their revenues. See also Burnet, i. 286, 287, and Rec. 229.—*T.*]

[2] Collier, ii. 480. [It is necessary, however, to remark, that Collier is here speaking, not of the spoliations committed by Henry, but of those which took place under Edward. The "new bishops" were those introduced by Elizabeth.—*T.*]

parted with twelve good manors belonging to Canterbury; Bonner, bishop of London, was obliged to compliment the crown with several houses belonging to his see, &c.[1] The king, indeed, after his usual manner, assured his people, that such alienations should be no detriment either to piety or learning; but, whatever his intentions were, he lived not to make good his promise; on the contrary, as his necessities daily increased, so he continued, to his dying day, to usurp upon the temporals of the clergy; and had the assurance to make his complaints, that he had been at a great charge in dissolving the monasteries, and reforming abuses in the church, and, as he was out of pocket, he hoped his people would consider of some way to reimburse him.[2] And they had the goodness to do it; for in a little time a way was found out.

There were still a great many tempting morsels in the hands of churchmen, which were full as liable to seizure as the monastic lands; such were collegiate churches, hospitals, chantries, free-chapels, guilds, &c., which were all endowed, and were capable of furnishing the exchequer with an immense sum, when their

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[1] [Cranmer's, Holgate's and Bonner's alienations were confirmed—they had been made in the preceding year—by the act 37 Hen. VIII. c. 16: but the suppression of Westminster, and the secularization of the revenues of Durham, did not take place till the following reign (Rymer, xv. 219; Godwin in vit. Tonstal, 756). Besides the twelve manors above mentioned, Cranmer also conveyed to Henry the two magnificent palaces of Oxford and Knowle, in Kent. Strype's Cranmer, 282.—*T.*]

[2] [As an illustration, if illustration be necessary, of Henry's "assurance" in this proceeding, I may here refer to an interesting document, printed under the direction of William B. D. D. Turnbull, Esq., the learned secretary of the Abbotsford Club, and by him presented to his fellow members. It is the account-roll of Sir John Williams, the keeper of the jewels to Henry VIII., and contains an inventory of all the plate, jewels, and other valuables, obtained by the king from the plunder of the religious houses. From this it appears, that, in plate alone, there were taken from the monasteries, cathedrals, and shrines, 14,531 ounces of gold, 67,600 ounces of silver, and 207,635 ounces of silver-gilt:—making, with the addition of some fractional parts, a total, in gold and silver, of rather more than 289,768 ounces of plate. This was sold for £73,531. 15*s.* 1*d.*; to which, if we add the further sum of £79,471. 5*s.* 9¾*d.* obtained in money, and entered on the same roll, we shall have a gross amount of £153,003. 0*s.* 10¾*d.* derived to the exchequer, over and above the produce of all the lands and estates of the monasteries.—*T.*]

Nov. 1545 lands, pensions, and goods were disposed of. When the matter was proposed in parliament, it could not fail taking effect; plausible reasons were ready to render them obnoxious, and the king had friends enough, in both houses, to favour the project. Accordingly, a bill passed, in the year 1545, for the seizure, and settlement of them upon the crown.[1] The number of these religious establishments is said to have been two thousand seven hundred and thirty-four, erected in several ages, chiefly by the subject, whose property was now invaded by a power without appeal. The use of these foundations was, the maintaining of the poor, sick, and aged persons, with a number of priests to assist them; with a farther obligation of praying for the founders, and their relations, living and dead. "Some people would almost be at a loss, upon this occasion; for, when purgatory, though somewhat refined, was the national belief, as it was, all the time of King Henry VIII.; when prayer for the dead was reckoned a significant service; when this prince left money in his will, to pray for his soul; when this was the general persuasion, it is somewhat surprising, that chantry lands should be taken away."[2] Indeed, the colleges within the two universities, upon earnest application, escaped being reformed, that is, suppressed; and the same indulgence was extended to the colleges of Winchester and Eton, the chapel of St. George, at Windsor, and a few others. Now, as Alexander the Great is said to have wept, when he understood there were no more worlds to conquer, that he might give content to the utmost demands of his ambition; so king Henry VIII. was uneasy, under his sacrilegious disabilities, and scandalous generosity, and earnestly desired that there had been more consecrated ground to have bestowed upon his flattering courtiers. There was, it is true, plenty of game before him, but of another kind; he made a set, but death prevented him, as he was drawing his net. For, before he died, designing to gratify and raise several noblemen, and

[1] Stat. 37 Hen. VIII. c. 4.

[2] Collier, ii. 207.

having no church abbey lands left, he designed to have bestowed the next vacant bishoprics and prebendaries upon them, and a book was drawn up for that purpose; but he died before the grants were signed, or executed. This was signified to the sixteen (his executors), by Paget, Denny, and Herbert, who were witnesses to the king's design.[1]

Before I finish this account of the dissolution of monasteries, I will take the liberty to make a few reflections, concerning the merits of the cause, and what the party under oppression might allege in their defence, in point of common equity, and according to the best notions the most rational part of mankind would entertain, in cases of the like nature. In perusing what happened at the treaty of Uxbridge, in the year 1646, I remember, when the managers of the rebellious party insisted, that presbytery might, for the future, be the established religion of the kingdom, the divines that were present, in order to support the cause of the king and church, as it was established by law, under episcopacy, &c., alleged these reasons against the proposal :— They argued, "first, from the point of perjury, the king having taken a solemn oath to maintain the rights of the church; next, in point of sacrilege, by the alienation of things offered to God; and lastly, from the point of divine right."[2] If the case is not exactly parallel with that between the clergy and religious, and king Henry VIII., it comes near to it. King Henry had taken an oath, to maintain the church in all its rights; the lands he seized and alienated were consecrated to God; and the clergy, in those days, had as good a claim to *jus divinum*, as the church of England could pretend to, when their bishops were threatened to be turned out of possession, and suppressed by the presbyters. All the difference seems to be this; that, in one case, the contending party were rebels, whereas king Henry proceeded in a legal and parliamentary way. But until it can be made appear, that the civil power can dispense

[1] Burnet, ii. 6, 7; Collier, ii. 219.

[2] Echard, ii. 517.

with oaths, seize upon lands and goods consecrated to God, and destroy the divine right of the church, in matters of faith, the parallel still stands good, as to the merits of the cause; and whatever arguments king Charles I.'s divines made use of, to defend their church by law established, against the presbyters, would have been of force against king Henry VIII. And, indeed, Providence seems to have had a design to retaliate upon the church of England, and that it should not only fall by the same weapons, which it had made use of against others, but several other circumstances occurred, to occasion such reflections. The church of England dated its misfortunes from the Long Parliament, November 3, 1640. "The very day was thought ominous; so that, before the appointed time, some persuaded the archbishop (Laud) to move the king, to have the sitting respited for a day or two longer; because the parliament in Henry VIII.'s reign, which ended with the diminution of the clergy's power, and the dissolution of religious houses, began the same day. But the archbishop took little notice of the advertisement.[1]"

The reader may make what reflections he pleases, upon these and such like passages, and, questionless, they will move him to some little compassion for the proprietors of the dissolved monasteries, upon account of the resemblance they bear with the suffering state of the church of England. And I suppose it is upon this score, that several learned and good-natured protestant authors have ventured to appear in defence of the monasteries, and attacked the instruments of their ruin, as far as decency would permit them to question a power, which could not be controled. For "it is pretty plain the lives of the religious were not so irregular as some authors represent them. But granting this charge had been true, it would have been no sufficient reason to have seized their estates. If insobriety and misbehaviour were sufficient grounds for forfeiture; if ill living, and not answering the ends of an estate, would justify the dis-

[1] Ibid. 194.

possessing the owner, property would be very precarious, and the English tenures slenderly guarded. For if we consider the matter closely, all Christians are bound to strict living, to discipline, to large distributions of charity, little less than the monks. They are false to the engagement of baptism, if they manage otherwise. The monastic institutions were principally designed to revive the piety of the ancient christians, and bring up practice to the rule of the gospel.

" Farther, if degeneracy and misbehaviour were the grand motive for dissolution, why were they not put under a better management? Why had they not some trial for reformation? If unnecessary expense, and omission of kindness to the poor, if luxury and license are good reasons to change the owner, and determine the estate, if this will hold, we should have strange transferring of titles. At this rate, it is to be feared, some people would have a very slender claim to their abbey lands.

" But if immorality, or mis-spending of revenue, is no sufficient reason for defeating of titles, why did the monasteries suffer? why must the church be dispossessed upon this score? why were those monasteries, which were unexceptionable in their management, which were charitable to the poor, and hospitable to the rich, why were these involved in the common fate, and condemned to dissolution with the rest? By the evidence of records, there were many more righteous monasteries in England, than righteous men in Sodom. However, this overbalance of merit could not divert the calamity, nor preserve them from ruin. Thus we see how much the mercies of God are greater than those of men. Justice *below* is sometimes blind upon mysterious motives, strikes without distinction, and sweeps away the innocent with the guilty.

" If the monks were tied to greater strictness than others, are not the owners of abbey lands bound to take their estates with the conditions annexed? If strict living, sober hospitality, and serviceableness to the poor, are accounted incumbrances, the abbey lands seem

chargeable with them. For, though princes' charters and acts of parliament may convey a legal title, yet, that they can destroy the force of consecrations, dispense with the meaning of the founders, and defeat the design of the original grant, is farther than I can discover. Acts of parliament have, without question, authority to overrule claims, and extinguish titles, and govern the courts of justice. But are not some things above the reach of the legislature? Can a statute unconsecrate a church, enact Sunday no holy-day, or sacrilege no sin? Is not God Almighty capable of property? If we must answer in the affirmative, how can an estate, dedicated to his service, and vested in him, be taken away without his consent? Which way can the intention of the donor, and the main design of the conveyance, be overlooked and defeated? Regularity and largeness of mind, therefore, are the least that can be expected from the abbey proprietors: these, it may be, are the lowest requisites, to make such alienations inoffensive to them. And, therefore, when those, who enjoy these religious estates, rack their tenants, or overlook the poor, when they exhaust themselves in figure or licentiousness; when any thing of this happens, the intention of the pious settlement is lamentably disappointed; the misapplication is doubly criminal; and, without reformation, it is much to be feared, the curse of the founders will light upon them. To be better enabled to ridicule virtue, to browbeat religion, or set a fashion in vice, is wide of the design of a religious foundation. Those, therefore, who are possessed of these lands, should be particularly careful in these matters.

"It is said, the monasteries, colleges, &c. were of a royal foundation; and, therefore, the taking them away was only a resumption of grants from the crown. To this it will be answered, the assertion is wide of matter of fact, and that many of the abbeys, &c. were founded by bishops and temporal lords, and some by subjects of lesser quality.[1] Besides, all the estates in the kingdom

[1] Dugdale, in his Monasticon, gives an account of a great many monasteries founded by subjects: and Fuller (p. 326) names ten monasteries founded by one family of the Berkeleys.

were grants from the crown, as appears from the tenures; and yet it would have been looked upon as an arbitrary attempt, to have taken them away: for a gift is a translation of right, extinguishes the title of the donor, and vests the property in another.

"But this alienation of abbey lands was made by act of parliament. That is true, and, therefore, it was a legal ousting. But then it will be asked, if a great part of the temporal lords, and others of the rich laity, had been thrown out of their estates by a statute; if this had happened, the question is, whether such proceedings would not have been thought an instance of rigour, and a mysterious exercise of authority? Had they been thus impoverished, without treason or felony to deserve it, it may be, the legality of the form, and the pleasure of the legislators, would hardly have reconciled them to such usage. They could not have argued against the force of the law; but the friendship of those that made it would not have been so clear. Farther, the endowments of the church were settled, upon important considerations, for the honour of God, for the advancement of learning, for the interest of eternity; and, therefore, in acts of resumption, the church hath been particularly exempted.

"Lastly, the rights and liberties of the church had been confirmed in thirty parliaments. This made some people think it strange, that king Henry VIII.'s parliaments should be of so very different a sentiment from those in former reigns."[1] And, to speak plainly to the matter, were things of this nature to be attempted in

[1] Collier, ii. 161, 162. [I cannot forbear adding the passage, with which this writer closes his excellent remarks on this subject. "It must be confessed," says he, "there were several shocking circumstances, in the reign of Henry VIII., and his children's. For, to see churches pulled down, or rifled, the plate swept off the altar, and the holy furniture converted to common use, had no great air of devotion. To see the choir undressed, to make the drawing-room and bed-chamber fine, was not very primitive, at first view. The forced surrender of abbeys, the maiming of bishoprics, and lopping the best branches of their revenues, the stopping impropriated tithes from passing in the ancient channel, these things are apt to puzzle a vulgar capacity. Unless a man's understanding is more than ordinarily improved, he will be at a loss to reconcile these measures with christian maxims, and make them fall in with conscience and reformation." p. 163. *T.*]

the present age in which we live, "it would be very much a question, whether the heirs of abbey lands would be so compliant with the crown, and part so easily with their money, as the monks had usually done. The sending for loans might probably be looked on as arbitrary demands, and invasions of property; and though the squeezing a defenceless order, would, it may be, go off in a jest, or pass for a public convenience, yet such an experiment upon men of title and interest, of steel and stomach, might prove dangerous in the operation."[1] One observation more may be added to all the rest, in opposition to these proceedings of king Henry VIII., that the wisest princes in Europe (besides religion, which deterred them from it) found no conveniences in following his example. They knew how to preserve their civil rights, without encroaching upon the liberties of the church, and had other ways of bearing the expenses of their wars, and gratifying persons of merit, than by plundering the house of God, and seizing upon its revenues. The religious orders were always ready to assist their prince, both with their prayers and purses, upon all occasions, and, therefore, they were encouraged and protected by them. This is a double blessing king Henry VIII. deprived himself of; so that "when the emperor Charles heard of the fate of the English abbeys, and into what channels their revenues were turned, he is reported to have said, *that now the king had killed the hen, which laid him the golden eggs.*"[2]

[1] Collier, ii. 176. [2] Ibid. ii. 176.

ARTICLE V.

ATTEMPTS OF REFORMERS—WRITINGS OF TYNDAL AND OTHERS CONDEMNED BY THE CONVOCATION—THE BISHOPS DIVIDED INTO TWO PARTIES—ARTICLES OF DOCTRINE—"THE INSTITUTION OF A CHRISTIAN MAN"—INJUNCTIONS PUBLISHED BY CRANMER AND CROMWELL—INTRIGUES WITH SCOTLAND AND FRANCE—UNSUCCESSFUL ATTEMPT TO FORM A UNION WITH THE GERMAN PRINCES—KING'S MARRIAGE WITH ANNE OF CLEVES—IT IS ANNULLED—DANGER OF QUEEN CATHERINE PARR—ATTEMPTS OF CRANMER—STATUTE OF THE SIX ARTICLES—CRANMER ACCUSED OF HERESY—HE IS SUMMONED BEFORE THE PRIVY-COUNCIL—BUT IS SAVED BY THE INTERFERENCE OF HENRY—"ERUDITION OF A CHRISTIAN MAN"—THE "BOOK OF CEREMONIES."

GREAT changes have been brought about, both in church and state, without any formed design in the beginning; only as they were favoured by incident matters, and taken up by some bold and enterprizing genius, to give them the advantage of a project. This seems to have been the case of the English nation, in king Charles I.'s reign, when the people designing only to petition for their rights, and against some encroachments of the royal prerogative, their king was beheaded, and both their church and monarchy subverted. An instance of the same kind was the attempt of Martin Luther, in Germany, by whom a private quarrel with the Dominican friars, concerning indulgences, was so improved, that it ended in a defection from the church, which he himself owned he never designed, nor did he think it would have had that consequence. These reflections may be justly applied to the reformation in England. "All that was done, in order to it, under Henry VIII., seemed to be accidental only, and, by the by, rather designed on private ends, than out of any settled purpose to reform the church."[1] Yet these matters proved to be an introduction to what happened afterwards. For, while king Henry was quarrelling with the see of Rome, concerning the divorce, and other matters that fell under de-

[1] Heylin, in pref. p. 4.

bate, some, that were inclined to favour Lutheranism, and other notions contrary to the doctrine of the universal church, made a hand of the confusion the nation was in, and, both by books and private conferences, persuaded a great many to embrace their opinions. Besides the present differences with the see of Rome, many other things concurred to encourage the humour of reforming. The leaven of Lollardism had formerly infected some in both universities; and they never were so entirely freed from it, but that, now and then, some obscure person was questioned and detected. Cardinal Wolsey's new college being lately provided with professors of great parts and learning, their fame drew over several persons from abroad, who happened sometimes to be suspected for novelties in religion. Again, the king had sent several agents abroad into Germany, to take care of his interest in the controversy about the divorce, where, by conversing with some eminent Lutherans, they had received a favourable impression of their doctrine. Among these agents, Dr. Cranmer and sir Richard Morison were the most remarkable, having ever after discovered their inclination towards Lutheranism. To these we may add Thomas Cromwell, whose education in the Lutheran army, that plundered Rome, gave him an aversion to the holy see, and, indeed, to all churchmen in general. Now, though king Henry was far from countenancing the doctrine of the German reformers, yet he was sometimes unguarded in their favour, while they soothed him up, in his resentments against the bishop of Rome. Under these favourable circumstances, several reformers set their engines a-working; books of an evil tendency, and satirical discourses, were daily published and handed about, to create in the people a dislike to the practices of the church, and bring both the clergy and religious into disrepute. This awakened archbishop Warham, who consulted with his brethren how to put a stop to the growing mischief; wherefore, in a synod, which assembled at Lambeth, May 24, 1530, inquiry was made after several books, practices, and opinions, which not only endangered both

church and state, but seemed to be levelled against religion in general.[1]

Among other books, that were censured by the synod, one was ascribed to Mr. Tyndal, entitled, 1530 *Wicked Mammon.* It contained very extravagant opinions, viz. that it was impossible for us to consent to the will of God; that Christ, in all his deeds, did not deserve heaven; that no work was better than another, in order to please God; that the commandments were given us, not to do them, but to know our damnation; that ceremonies had brought the world from God, &c. They censured another book, called, *The Revelation of Antichrist*, in which the author inveighs against religious vows, and monastic institutions, as calculated to destroy the true faith; adding, that Alexander Hales and St. Thomas of Aquin were stars fallen from heaven, railing at them for introducing learning into the universities, which he styled the gates of hell. In fine, he was for abolishing all laws and ceremonies whatever. A book was also condemned, which was named, *The Sum of the Scripture*, being a rhapsody of very extravagant assertions, viz., that there was no baptism besides faith in Christ; that there was no occasion of labouring to become Christ's heirs, being so already; that all law-suits

[1] [This, however, was not the first occasion, on which Warham's zeal had been awakened by the writings of the reformers. Four years earlier, he had addressed a mandate to the bishops of his province, denouncing the translation of the New Testament, by Tyndal, as a false and adulterated version; ordering that and other books to be called in and destroyed; and threatening the penalty of excommunication on any person, who should presume to retain any one of the proscribed volumes, after the expiration of the next thirty days (Wilkins, iii. 706). In the present instance, however, he was seconded by the authority of Henry, who, in a letter to the vice-chancellors of Oxford and Cambridge, lamented the existence of "certayn printed bokes conteyning erronious and pestiferous wordes, sentences, and conclusions," and required each of them to select and send to London immediately twelve "of the beste lerned men in divinitie," by whose "advices and judgementes" he was resolved "to vieu and peruse the said bokes," and "to take such ordre and direction in that matter as might be to the pleasur of God, the advauncement of the truthe, and the repressyng of errours and seditions." The letter to the vice-chancellor of Cambridge, which has been lately published by Dr. Lamb (Collection of Letters, &c, p. 26), is dated May 4, 1530; the persons, appointed in consequence of it to attend the king, were Doctors Watson, Wygan, Crome, Downes, and the Masters Shaxton, Latymer, Thyxtell, Hutton, Tylson, Skyppes, Hethe, and Bayne. Ibid.—*T.*]

were directly against the Gospel, as also war between nation and nation; and that no submission was due to the civil magistrate, only to avoid offence. This synod likewise condemned the book, called *The Supplication of Beggars*, with which the reader is already acquainted. In like manner, it condemned Tyndal's translation of the Bible, and gave directions for a new one; and concluded with an admonition, drawn up against the novelties of the times, which was to be published in every parish church.[1] It was upon this occasion, that the dawning of the reformation began to appear; which, being nursed up in corners, crawled about the kingdom for a while, till, majesty and men in power beginning to shine upon the embryo, and many temporal advantages concurring to cherish its growth, it started up to a surprising size, in the ensuing reign. For, by degrees, the reformation found powerful advocates, both in church

[1] [Collier, ii. 48—52. In a long extract from the register of archbishop Warham, this writer gives a list of the erroneous doctrines of each of the condemned books, together with the admonition directed to be read in the parish churches. The object of the latter is, to deter the people from reading the proscribed works. "Wherefore," it says, "you that have the books, called *The Obedience of a Christian Man*, *The Sum of Scripture*, *The Revelation of Anti-Christ*, *The Supplication of Beggars*, *Mammon*, *The Matrimony of Tindale*, *The New Testament in English*, of the translation that is now printed, and such other books in English, the authors whereof either dare not, ne do not, put to their names, be unknown unto you, or else be such as have put forth these pernicious books, detest them, abhor them, keep them not in your hands, deliver them to the superiors, such as call for them; and if, by reading of them heretofore, any thing remains in your breast of that teaching, either forget it, or, by information of the truth, expel it and purge it, to the intent, that ye, so purified and cleansed of that contagious doctrine and pestiferous traditions, may be fit and apt to receive and retain the true doctrine and understanding of Christ's laws, to the comfort and edification of your souls." It then proceeds to speak more particularly of the inspired writings. It reminds the people, that that "cannot require or demand scripture to be divulged in the English tongue, otherwise than upon the discretions of the superiors:" it informs them, that, looking at "the pestilent books and evil opinions now spread among them," the king cannot, in his conscience, permit the publication of the sacred volumes, in the vulgar tongue: but it promises, nevertheless, on behalf of his Majesty, that, if they will "abhor the heresies and new opinions" of the time, if they will "decline from arrogancy of knowledge, and understanding of Scripture after their own phantasies," his highness will "cause the New Testament to be, by learned men, faithfully and purely translated," and will, at a convenient season, deliver it in English to his people (p. 50, 51). Hence it appears, that Dodd is mistaken in saying, that, when the convocation condemned Tyndal's version, it also "gave directions for a new one." The whole process, together with the admonition, may be seen in Wilkins, Con. iii. 727—737.—*T.*]

and state, who, though they durst not make open profession of it, under the king's eye, yet they had a thousand ways of carrying on matters in private. His majesty having set aside the authority of the see of Rome, in the controversy of the divorce, renounced the pope's supremacy by a decree of parliament, drawn some blood from those that opposed him, insinuated his design of dissolving the monasteries, and made suspicious compliments to the Lutheran princes of Germany; these proceedings were a handsome preliminary, and encouraged the favourers of the reformation to form a kind of body, and carry on their design in a methodical and projecting way.

The bishops seemed to be divided upon the matter. Some were for widening the breach with Rome, and pushing on the reformation farther; others thought they had already gone far enough, in abolishing the pope's supremacy. Of the first sort were, Thomas Cranmer, archbishop of Canterbury; Thomas Goodrick, bishop of Ely; Nicholas Shaxton, of Sarum; Hugh Latymer, of Worcester; Edward Fox, of Hereford; John Hildesly, of Rochester; and William Barlow, of St. David's. Of the other party were, Edward Lee, archbishop of York; John Stokesley, bishop of London; Cuthbert Tunstal, of Durham; Stephen Gardiner, of Winchester; Robert Sherburn, of Chichester; Richard Nix, of Norwich; and John Kite, of Carlisle. And it was not long before there was an occasion of trying how both parties stood affected. For novelties spreading every day more and more, a convocation met in order to redress the evil; in the conclusion whereof, a form of doctrine was drawn up, not differing in essentials from the ancient faith, yet, in some points, warping too much towards the reformation.[1] This form was signed,

JUN. 9, 1536.

[1] [This document, which was drawn up by command of the king, is printed in Wilkins, iii. 817—823; in Fuller, book v. 213—223; in Burnet, i. Append. 283—293; in Lloyd's Formularies of Faith, i—20; and less correctly, in Collier, ii. 122—126. It begins by asserting that a belief "in the whole body and canon of the Bible," and in all the articles contained in the Apostle's Creed, the Nicene Creed, and the Creed of St. Athanasius, is necessary to salvation. It then proceeds to explain the nature, end, and necessity of the three sacra-

in the first place, by archbishop Cranmer, who as yet kept the secret of a farther reformation fast locked up in his breast. In the list of the subscribers, to be seen in the Cottonian library,[1] we find Thomas Cromwell, eighteen bishops, forty abbots and priors, and fifty of the lower house of convocation. This assembly, before they broke up, stigmatized fifty-nine erroneous opinions; some whereof were irreconcileable to the very substance of christian religion, viz. "that priests had no more authority to administer the sacraments than the laity; that all church ceremonies, not expressly warranted in Scripture, were to be laid aside; that it was as lawful to christen a child in a tub at home, or in a ditch in the field, as in a church font; that it was neither necessary nor serviceable to have churches or chapels, for divine service; that our lady, the blessed Virgin, was no better than another woman; that holidays of ecclesiastical institution were not to be regarded; that no human laws or constitutions were binding to any christian, excepting those of the new Testament." These anabaptistical opinions were intermixed with others of not quite so evil an aspect, yet not approved

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ments of Baptism, Penance, and the Eucharist; it teaches that justification is obtained "by contrition and faith, joined with charity," and that "good works be necessarily required to the attaining of everlasting life;" it asserts that the use of images, the honour and invocation of the saints, and the various ceremonies used in the church service, are good and profitable; and it concludes by declaring, on the subject of the souls detained in purgatory, that, though "the place where they be, the name thereof, and kind of pains there also, be to us uncertain by Scripture," yet, "it standeth with the very due order of charity, a christian man to pray for souls departed ..... and also to cause other to pray for them in masses and exequies, and to give alms to other to pray for them, whereby they may be relieved, and holpen of some part of their pain." These "articles" were ordered to be read publicly in all churches, without comment (Wilkins iii. 825), and, shortly after, were followed by a body of injunctions, transferring all feasts of the dedication of churches to the first Sunday of October, and forbidding the observance of any of the church holidays, which fell either during the period of harvest, from the first of July to the twenty-ninth of September, or during the sitting of the law-courts at Westminster. Wilkins iii. 823; Foxe, ii. 323.—*T.*]

[1] Cleopatra, E. v. 59. [A facsimile of the signatures is here given: an explanation of them will be found in the Appendix, No. XLV. Perhaps the reader, on comparing the signatures of the abbots with those of the other members of the convocation, will smile at the sneer, with which Burnet tells us, that those dignitaries "writ generally so ill, he could by no means know what to make of some of them." i. Addend. 293.—*T.*]

of by the convocation at that time, viz. that there was no purgatory; that "the sacrament of the altar was nothing else but a piece of bread; and that it was to no more purpose to pray to the saints, than to throw a stone against the wind."[1] These opinions (which were respectively taught by one set or other, who claimed the title of reformers) being promiscuously condemned by the convocation, it proved a sensible mortification to one or two of the bishops, who were suspected to favour some of them. Mr. Fuller thinks it not amiss upon this occasion to inform us, that the fifty-nine propositions, condemned by the bishops and divines at this meeting, were the protestant religion in ore. It seems, the reformers had not as yet received all their lights, nor arrived at a sufficient maturity of judgment, to separate the metal from the dross.[2]

Another glimpse of the reformation appeared upon the publishing of a book, called *The Institution of a Christian Man.* It was said to have been penned by Dr. Poynet; and though, in most points, it was conformable to the old religion, yet, in some things, it seemed to favour the reformation. However, it obtained so far, as to be approved of by the convocation, and recommended by the king, as a standard for the desk and pulpit. It contained, in particular, that all national churches were equal in power; that there were seven sacraments, yet with some preference to Baptism, the Eucharist, and Penance. It owns a corporal presence

[1] [In reference to this passage, Dodd was once charged with saying, that the denial of purgatory and of the real presence was "not of quite so evil an aspect," as the assertions, that "ceremonies were superstitious, and that holidays ought to be abolished." Perhaps, in critical strictness, his words are susceptible of this meaning. It is right, however, to observe, that he indignantly repelled the accusation, and that he, at once, distinctly and emphatically declared, that the comparison, instituted by him, was limited in his mind to "those propositions that tended to the total subversion of christianity, viz., the abolishing of baptism, priesthood, and obligation of obeying human laws." As he truly remarks, "propositions, that attack only some particular tenets of faith, have a better aspect than those that destroy the fundamentals of christian religion." Apology for the Ch. Hist. of Eng. 81, 82.—*T.*]

[2] Collier, ii. 120—128; Fuller, 208. [The latter adds some other propositions, making in all sixty-seven (209—212). In substance, however, they are all contained in the fifty-nine. It was in opposition to them, that the instrument described in note [1] of page 299 was drawn up.—*T.*]

of Christ in the sacrament, but sinks the word *Transubstantiation;* the ten commandments are divided into four and six, and not into three and seven, as they were formerly reckoned. There are some restrictions in the practice of praying to saints; as, namely, the *Ave Maria*, which is allowed, is declared not to be properly a prayer; but prayer for the dead is positively asserted and prescribed.[1] From a view of such forms of doctrine, it was plain the interest of the old religion was every day declining; and, though such as were friends to the reformation durst not be very explicit, yet, by softening terms, and suspicious omissions, they drove on the cause in the dark, all the while covering themselves under a serviceable hypocrisy. Meantime, Cranmer and Cromwell, through whose hands all public matters passed, took care, time after time, to publish such orders and injunctions as countenanced their cause; particularly, an order came forth, that all preachers should forbear mentioning the controversies of the times, both on one side and the other. This was represented as an instance of prudence in the ministry, to put exasperated minds under a restraint, and that the king's subjects might not be set at variance; namely, they were to say nothing of purgatory, praying to saints, priests' marriage, faith, justification, pilgrimages, miracles, &c.[2] Now, that this was a project in favour of the reformation, is pretty plain, it not being customary to silence the professors of an established religion, out of compliment to novelties. Afterwards, Cranmer
1538 and Cromwell set forth other injunctions, of the same tendency, viz. certain ceremonies were to be restrained, and observed with more decency; candles were not to be constantly lighted upon the altar, only during the time of consecration, distribution of the

[1] Collier, ii, 139—143.

[2] [He alludes either to the order, mentioned in a preceding note (page 300), that the articles should be read in the churches, *without comment*, or to a particular injunction, issued in 1537, by the bishop of Lincoln, wherein, addressing his clergy, and ordering them to preach at least four sermons every year, the prelate adds:—"ita tamen, quòd vos non intromiseritis in vestris concionibus de aliquibus materiis dubiis, quæ corda audientium potiùs disturbant quàm juvant. et citiùs virtutes confundunt quàm excitant."—Wilkins, iii. 829.—*T.*]

sacrament, and some other certain times; *Ora pro nobis* was to be omitted at public processions, though allowed in private. These were threatening ordinances, which cherished the reformation, and made the party very confident they had powerful friends at court.[1]

Besides what was acting, at home, in favour of the reformation, those of the ministry, that were of that party, were very industrious in providing themselves with assistance from abroad. Lord William Howard and the bishop of St. Asaph were sent into Scotland; their instructions were, to engage the young king, nephew to king Henry, to quarrel with the see of Rome; to which purpose, they made use of all those popular arguments, which had induced their master to cast off that pretended yoke: but they proved to have no effect; the nephew had not so good an opinion of his uncle's management.[2] Their next attempt was upon the protestant princes of Germany, assembled at Smalcald. Hither they sent the bishop of Hereford, and some others, in order to propose a league, and mention a coalition between the Lutheran church and the church of England, as it then stood. But both parties were so in love with their own systems, that nothing could be effected. The main obstacle was, the agents in Germany were to do nothing without consulting bishop Gardiner, who at that time was ambassador at the French court. Now, this prelate mentioned two difficulties, which, indeed, as things then stood, were invincible; one was, the impracticableness of uniting a German church to an English head; the other was, the German princes had agreed with the emperor to the

1535

[1] Foxe, ii. 325, 326.

[2] Herbert, 423, 424; Strype, i. 225, and Rec. No. LXIII. [This embassy had been preceded by another, in which the bishop of St. Asaph (Barlowe) was accompanied by Thomas Holcroft, afterwards knight and knight-marshal (ibid). Sir Ralph Sadler was subsequently employed in a similar attempt.—Sadler's State Papers, i. 50—56.

Of Henry's efforts to withdraw the French king also from his connexion with the Roman see, the reader has already seen one instance, in the instructions given to Gardiner, in October, 1535 (Appendix, No. XXXVI.). From numberless other similar papers and despatches, I shall select a few, which will furnish a farther illustration of his anxiety on this subject. They will be found in the Appendix, No. XLVI.—*T.*]

calling of a general council. Now, it was apprehended that a general council would show no friendship to king Henry, either in the cause of the divorce, or his supremacy; for these, and some other reasons, Gardiner persuaded his majesty to stand off.[1] However,
1538 not long after, the protestant princes of Smalcald alliance, being willing to countenance the proceedings in England against the see of Rome, sent over two ambassadors, Francis Burchard and George Boyneburg, and several Lutheran divines, who were to propose and press farther for a reformation; and, accordingly, they drew up several arguments against communion under one kind, private masses, and the single life of the clergy. Bishop Gardiner was ordered by his majesty to make a distinct reply to every point, which he performed answerably to the great character he had obtained among the learned.[2]

Meantime, Cromwell had another project in his head, which he imagined would mainly contribute towards promoting the interest of the reforming party, which was, by procuring a match between Ann, daughter of John, duke of Cleves, a Lutheran princess, and king Henry. As soon as this match was proposed, Hans

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[1] [This account of the negotiation with the German princes is hardly correct. When Fox, Heath, and Barnes, the three envoys from Henry, arrived in Germany, the confederates presented them with a paper containing thirteen articles for the king's signature. These articles, which engaged Henry to adopt the Augustan confession of faith, to assent to "a free, just, and christian council," and to assist the confederates with a contribution, first, of one hundred thousand crowns, and afterwards, if necessary, with a farther advance of double that sum, were forwarded to the king, and, by his order, transmitted to Gardiner, in France, for the opinion of that prelate. Gardiner, in an ingenious reply, strongly opposed the adoption of the articles. But Gardiner was at a distance, and Henry was anxious to obtain the approbation of the Germans for his divorce. He, therefore, wrote a flattering letter to the princes: he thanked them for their good will, offered to aid them with one hundred thousand crowns, if the league were perfected, but requested, in the matter of religion, that a body of German divines might be commissioned to visit England, and confer with the native theologians on the subject. In pursuance of this request, Melancthon, Bucer, and Draco, were named, to form the deputation. But the execution of Anne Boleyn awakened the suspicions of the reformers; and the project was silently abandoned, until renewed, as mentioned in the text, at a later period.—Strype, i. 225—230, Rec. 157—163; Burnet, i. 243, iii. Rec. 103—110.—*T.*]

[2] See Burnet, i. Addend. 304—318; Strype, i. Rec. 258—274; Collier, ii. 143—149.

Holbein, the famous painter, was employed to draw her picture, which he performed with exquisite skill, and it was sent over, a present to his majesty. She had a beautiful face, but, as to her size, was surprisingly large; was very unpolished in her behaviour; could neither sing, dance, touch any musical instrument (qualifications very much admired by the king), nor speak any language, excepting high Dutch. Upon conclusion of the treaty, she came over, was met by the king at Rochester, and, on the following day, conducted to Greenwich, where, after several consultations between Henry and his ministers, with a view to set aside the match, the ceremony of marriage was reluctantly performed, Jan. 6, 1540.[1] From the first sight the king had no liking to her, swearing to some of his familiars, that they had sent him over a Flanders mare, instead of a woman. Neither was the match universally approved of by the Lutheran princes; for "the duke of Saxony discouraged it, because the king was making backward steps in the matter of the reformation."[2] By degrees, the king's distaste grew into an aversion, and it was not long before he took a resolution to part with her; and, being an adept in finding out reasons for the breach of matrimonial ties, he set his head to work. The first pretence was, that she had been precontracted to the prince of Lorraine. "But nothing could be founded on that pre-contract, which was only an agreement between the fathers, when their children were under age, and which was afterwards broken and annulled by their parents; so Cranmer and Tunstal, being required to give their opinions as divines, declared there was nothing in it to hinder the king's marrying with the lady."[3] Afterwards, when it was debated in the convocation, "the substance of the whole evidence amounted to these particulars; that the matter of the pre-contract between the queen and the prince of Lorraine was not

[1] Burnet, i. Rec. 181—185; Strype, i. Rec. 307—315. [The expenses of Anne's conveyance from Calais to Greenwich were defrayed out of the plunder of the monasteries, and amounted to £3,078. 7*s.* 7*d.*—Sir John Williams's Account-Roll, 78—83.—*T.*] [2] Echard, i. 701. [3] Ibid.

fully cleared; that the king had married her against his will, without an inward consent; and that he had never consummated the marriage, so that they saw he could have no issue by the queen. Upon these grounds, the whole convocation, with one consent, annulled the marriage, and declared both parties free; which was the grossest compliance that the king had from his clergy in his whole reign."[1] For "the reasons on which their sentence is founded are not very cogent."[2] Yet, according to the sentence given, they were divorced, July 9, the same year they were married, and it was confirmed in parliament, July 13. She had 3,000*l.* a year allowed her, and was styled the king's adopted sister.[3]

July 12, 1543. A stratagem of the like nature was made use of, when the king married Catherine Parr, to which he was advised by the party that favoured the reformation, "which she was known to love, and to have sermons in her privy chamber."[4] But when these her inclinations became known to bishop Gardiner, and the lord chancellor Wriothesley, two zealous opposers of the reformation, they drew up certain articles against her; and the king "signed the articles upon which she was to be impeached."[5] As soon as she was informed what was acting against her, she either fell sick, or pretended to be so, to prevent being sent to the Tower. The king, in the meantime, making her a visit, expostulates with her concerning the articles she was charged with; but she, with a jocose air, gives an unexpected turn to the whole affair, and seemingly could not be made to understand that any one could be serious, when they alleged such matters against her, which everybody knows, says she, are far above a woman's weak capacity. "No," replies the king, "by St. Mary, you are a doctor, Kate." After some discourse between them, she did not disown, but that, perhaps, by way of amusement, she might have been less cautious in speaking about religion, but it was entirely without design. Whether

[1] Echard, i. 703. [2] Collier, ii. 178.
[3] Burnet, i. 269, Rec. 186—188; Stat. 32 Henry VIII. c. 25.
[4] Echard, i. 713. [5] Ibid.

the king took this for a sufficient apology, or, enjoying now an ill state of health, would not undergo the trouble and vexation of a prosecution, the order for her confinement was superseded; and some pretend her enemies were checked for being too forward. But it is probable, had his majesty been disposed to have made a strict inquiry into her behaviour, she might have tasted of the variety of his temper, as some of his other wives had done before her.[1]

It plainly appeared from this, and such like instances, that the old religion was in danger, and that several active persons of the reforming party omitted no opportunity of enlarging their interest; especially, archbishop Cranmer was so enterprizing, as to have the assurance to tempt the king privately upon the subject of religion: he craftily insinuates to him, that several things were then practised in the church of England, not authorized by the holy Scripture; and, among others, mentioned the vow of celibacy in the clergy, which he desired might be considered, and his majesty would find there was occasion for a reformation.[2] Now, there were both private and public motives, which induced Cranmer to make this a leading inquiry: he had himself taken a wife, contrary to the canons of the church; it cost him a great deal of pains to conceal her, so he was willing to be made *rectus in curiâ* upon that head. Again, great numbers of religious, who had been expelled the monasteries, having an opportunity of conversing with those of the other sex, gave frequent scandal, by the breach of their vows; and their unfortunate circumstances seemed to plead very much to have the law of celibacy abolished. When Gardiner, Tunstal, and other bishops, zealous for the discipline of the old religion, found what was carrying on, they put the king upon such methods, as dashed all the present hopes of the other party; for, not long after, a bill of six articles was brought into 1539
parliament, which passed both houses, and it was de

[1] Herb. 624, 625. [2] Burnet i. Addend. to Rec. Nos. iv. and vi.

clared a capital crime in any one that refused to subscribe to them:—the articles were, transubstantiation, communion under one kind, celibacy of the clergy, monastic vows, private masses, and auricular confession.[1] This statute struck a terror into the reformers; and the grand sticklers, Cranmer, &c. were at their wits' end, how to manage upon the juncture; but the comfortable doctrine of occasional conformity stood them in stead, and was a never failing cordial. However, two of the bishops, Hugh Latimer, of Worcester, and Nicholas Shaxton, of Sarum, chose rather to resign than comply, though Shaxton quickly recanted, and subscribed to the articles.[2] By this barrier of the six articles, the reformers were kept under some restraint, as to any attacks against the doctrine of the church; yet still they went on in ridiculing several practices publicly, even in plays and farces, which were acted in the churches. "The subject of the entertainment, which was made by some of the gospellers, was the immoralities and disorders of the monks and clergy. They took the liberty likewise to ridicule their religious worship. The mob were pleased with these theatrical shows, in hopes, it may be, of being set free from discipline and restraint. The clergy complained, as they had reason, against such licentious sport; this, they said, was the way to let in atheism, and make all religion a jest; for, if people were allowed to burlesque devotion, and make themselves merry with the ceremonies of the church, they would proceed to farther extremities, and laugh the nation out of their creed at last."[3] This liberty of the reformers is

[1] See Appendix, No. XLVII.

[2] [It appears to be uncertain whether these bishops resigned, or whether they were deprived. Godwin, in the life of Latimer, says the former; in the life of Shaxton, the latter (De Præsul. 353, 469). Marillac, the French ambassador, who was in England at the time, asserts that they were deposed, "pour n'avoir voulu souscrire à édits" (Le Grand, ii. 199); but Latimer himself, in a paper written in 1546, declares, that, though he resigned at the instance of Cromwell, and, as he supposed, in obedience to the commands of the king, the latter afterwards denied that he had given any orders on the subject (State Papers, i. 849, cited by Lingard, vi. 294. Ed. 1838). Shaxton's recantation is printed in Collier, ii. 212.—*T.*]

[3] Collier, ii. 187.

mentioned and condemned by bishop Bonner, in his injunctions delivered to his clergy, in 1542.[1]

Archbishop Cranmer, who was the grand encourager of all these proceedings, began to be watched more narrowly; so that sir John Gostwick, a member of parliament for Bedfordshire, ventured to accuse him before the house, as an abettor of novel opinions, and that his palace was a nursery for heresy and sedition; but no impeachment was drawn up against him. The king, who was no stranger to Cranmer's inclinations, took an occasion to ask him, in a merry strain, if his grace's bedchamber could stand the scrutiny of the six articles? Cranmer replied very frankly, and owned he was actually married, but, not to give offence, he had sent his wife into her own country. The king, who had a personal kindness for him, told him, as to that particular, he would stand between him and danger, therefore bid him be easy. But this did not satisfy the privy-council, who had many other matters to allege against him; he was summoned before them, and they were fully resolved to send him to the Tower, and that he should undergo his trial. Accordingly he appeared; but producing a ring which the king had given him, and some other circumstances, stopped all farther proceedings. The next time the king met his privy-council, he expostulated with them on the archbishop's account, and, striking his breast, swore he had more obligations to him than to all mankind besides.[2] Cranmer failed not to improve this advantage, and managed the king with so much art, that hereafter the six article act was urged with more moderation; insomuch, that, in a session of parliament held not long after, a clause was inserted in the act, empowering the king to alter it, or any proviso in it.[3] This was visibly a stratagem of the reformers,

[1] [The Injunctions are printed in Wilkins, iii. 864—867, and in Burnet, i. Rec. 235—239. In the former edition of this work, Dodd erroneously described them as the injunctions of the convocation, and supported the description by a mistaken reference, copied from the margin of Collier, ii. 187.—*T.*]

[2] Collier ii. 199—201; Strype's Cranmer, 109—126.

[3] [Dodd must here allude to the statute, giving to any proclamation, which should be issued by the king, the force of an act of parliament (Stat. 31 Hen.

upon a view, that, some time or other, his majesty might be disposed to repeal it entirely. On the other hand, the friends of the old religion laboured hard to oppose the reformation. A league was struck up with the emperor. The king agreed to have the princess Mary placed in the succession; and Gardiner assures us, that he himself was employed to make some proposals towards a reconciliation with Rome.[1]

VIII. c. 8). This, however, was passed *before* that of the Six Articles: the acts, by which the severity of the latter was mitigated, were those of the 32nd of Hen. VIII. c. 10. and the 35th Hen. VIII. c. 5. By the first, the punishment of a priest, contracting marriage, was commuted from death to forfeiture, or to forfeiture and perpetual imprisonment for the third offence: by the second, no information under the act could be received, unless verified by the oaths of twelve men; no prosecution could be sustained, unless commenced, if for a violation of the statute, within a year, if for words spoken against the statute, within forty days, after the commission of the offence.—*T.*]

[1] Apud Foxe, iii. 92. [I will here supply a brief notice of some particulars which have been omitted by Dodd. The reader will recollect the condemnation of Tyndal's version of the New Testament, and the promise of Henry to provide the people with a faithful translation of the whole Scripture. This was in 1530: four years later, the pledge was still unredeemed; and, in December, 1534, the convocation addressed the king, reminding him of his promise, and requesting that it might now be fulfilled. Henry replied to the petition, by authorizing two printers, Grafton and Whitchurch, to publish an edition of the Bible in English; and, in 1537, a translation, professedly written by Thomas Matthewe, a fictitious name, but really compiled from the two versions of Tyndal and Coverdale (the latter printed abroad in 1535), made its appearance. To Cranmer, the publication of this volume was a matter of extraordinary interest. He instantly forwarded a copy to Cromwell: by the latter the book was laid before Henry; and a royal injunction speedily followed, ordering a Bible of this edition to be placed in every church, at the joint expense of the parson and the parishioners (Wilkins, iii. 776; Strype's Cranmer, 24, 57; Burnet, i. Rec. 168). What was thus provided for the churches, was shortly after permitted as an indulgence to every private family (Burnet, ibid. 175; Wilkins, 846). But the inconveniences of this new system soon began to manifest themselves. The people, everywhere exhorted to read and study the sacred volume, at once became theologians in their own estimation. The most ignorant, of course, were the most loud in their declamations. The street and the tavern, the ale-house and the church, alike resounded with the anger of the polemic, or the voice of the expounder. The intercourse of life was embittered; the service of the church was interrupted; and doctrines the most absurd and contradictory were disseminated through the country, on the alleged authority of the Word of God. To arrest these disorders, Henry resolved to exercise the powers conferred upon him by his spiritual supremacy. In a proclamation, published in 1539, he complained to the people of the manner, in which they had disappointed his expectations, in giving them access to the Bible. His "intent and hope was, that they would read the Scripture with meeknes, and wil to accomplish the effect of it." But their arrogance had converted it only to purposes of slander and railing; and it now, therefore, became him, "like a godly and catholick prince, of his excellent goodnes and princely power," to take measures for remedying the abuse. He then proceeds to notice and condemn the several

ARTICLE VI.

CHARACTER OF HENRY.—HIS ACCOMPLISHMENTS AND TALENTS—POLITICAL ABILITIES—MORALS—RELIGIOUS PRINCIPLES—HIS DEATH—LAST SPEECH IN PARLIAMENT—HIS WILL—SUMMARY.

It is generally allowed, that king Henry VIII. was richly provided with all those ornaments both of body and mind, which became that exalted station, which provi-

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excesses which he sought to restrain. He prohibits the use of the opprobrious epithets, "heretic" and "papist;" he forbids any one, who shall not have graduated at either of the universities, or who shall not have obtained the special license of the king, or of his vicegerent, to "teach or preach the Bible or New Testament, or expound the mysteries thereof;" he commands all persons to abstain from reading the Scriptures aloud in the churches, during the time of divine service; he cautions all to seek the interpretation of every difficult passage from those, whose learning shall have qualified them for the task; and he concludes, by reminding his "loving and obedient subjects," that, if he has indulged them with the unrestrained use of the Sacred Volume, it is not from any obligation imposed on him by God's ordinance, but purely from the effect of "his own liberality and goodnes." (See Appendix, No. XLVIII.) But, if Henry expected, by such means, to repress the disorders of which he complained, he was speedily undeceived. Instead of subsiding, the zeal of the new teachers seemed hourly to gather strength. The same heterodox opinions continued to be propagated, the same intemperance of word and action universally to prevail; till, at length, in January, 1543, it was deemed necessary to interfere by act of parliament, and effectually restrain a liberty, which had thus been so grievously abused. It was then enacted, that "all books of the Old and New Testament in English, being of Tindale's false translation, or comprising any matter of christian religion, articles of the faith, or Holy Scripture, contrary to the doctrine set forth sithence A.D. 1540, or to be set forth by the king, should be abolished; that no printer or bookseller should utter any of the aforesaid books; that no persons should play in interlude, sing, or rhyme, contrary to the said doctrine; that no person should retain any English books or writings, concerning matter against the holy and blessed sacrament of the altar, or for the maintainance of anabaptists, or other books abolished by the king's proclamation; that there should be no annotations, or preambles in Bibles or New Testaments in English; that the Bible should not be read in English in any church; that no women or artificers, 'prentices, journeymen, serving-men of the degrees of yeomen or under, husbandmen or labourers, should read the New Testament in English; that nothing should be taught contrary to the king's instructions; and that, if any spiritual person should preach, teach, or maintain any thing contrary to the king's instructions, or determinations, made, or to be made, and should be thereof convict, he should, for his first offence, recant; for his second, abjure and bear a faggot; and for his third, should be adjudged a heretic, and be burned, and lose all his goods and chattels." —Stat 34, Hen. VIII. c. 1.

But, while Henry was thus careful to restrain the opinions of his subjects, he was not less solicitous, in the exercise of his spiritual headship, to propagate and

dence had designed him for. As to his body, he was much above the common size of men, with limbs well proportioned, and a majestic mien. He had not only a great share of wit, penetration, and judgment, but might dispute a superiority with those that were the best qualified. These perfections, having the advantage of a

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establish his own. When parliament assembled, in April, 1540, Cromwell addressed the house on the subject of religion; and, having described the animosities of the two great parties, each branding the other with the epithet of "heretic," or "papist,"and each appealing to the scripture for the confirmation of its own peculiar views, concluded by informing the members, that a commission had been issued to a certain number of prelates and doctors; that, of these, some were to draw up a clear and faithful exposition of doctrine, others were to report on the propriety of retaining or abolishing a certain portion of the church ceremonies; and that, as the king was determined, by enforcing the laws, to repress the rash and heterodox opinions, that were abroad, so he confidently relied on the cooperation of parliament, to support him in the godly undertaking. The two committees were now assembled. From the "Institution of a Christian Man," the various heads were extracted: these were disposed in the form of questions, and, being reduced to writing, were delivered to the several members of the committee of doctrine, for their opinions. The answers, when returned, were collated and presented to the king; and, after a careful revision, during three years, were, at length, embodied and published, under the title of "A Necessary Doctrine and Erudition for any Christened Man." In point of substance, the new book, though more full, differed little from its predecessor. It enforced the same tenets, enjoined the same observances; but it asserted, what the "Institution" had evaded, the doctrine of transubstantiation; and in formed its readers that communion under one kind was sufficient. Henry introduced the work to his subjects with a preface from his own pen; a circumstance, from which, probably, it afterwards obtained the name of "The King's Book."— Wilkins, iii. 861, 863, 868; Strype, Memorials, i. 356, 357, 378—381, Cranmer, Append. 48—54; Burnet, i. 273—280, Rec. 189—227; Collier, ii. 188—191, Rec. 40—56.

Of the answers and decisions of the committee, appointed to revise the church ceremonies, little seems to have been publicly known at the time. A report, indeed, distinguished alike by its simplicity and its general good sense, was drawn up, and probably laid before Henry. But here the matter was suffered to rest: the paper, though evidently completed, was never published; and the ancient ceremonies, which it approved and explained, continued still, with but few exceptions, to retain their places in the service of the church. One point, however, deserves to be here noticed, inasmuch as it contains a suggestion, which has since been adopted in the catholic rituals of this country. Having described the ceremonies of baptism, up to the moment when the child is conducted to the font, the report thus proceeds: "Then there followeth a stipulation, made under prescript words, the mynystre demaundyng certayne questyons, and he that is baptysed, or his suerties, makyng aunswer to any questyon or demaunde,—*which demaunds, questions, and answers (to the intent the godfather, godmother, with other there present, may know what ys a christen man's profession att hys baptisme) we think yt very convenient and meet to be utteryd hereafter in the Englishe tong.*" This suggestion is inserted in the margin of the report, and is in the handwriting, not of Gardiner, as asserted by Strype (Mem. i. Append. 282), but of Sampson, bishop of Chichester. The paper may be seen among the Cotton MSS. Cleopat. E. v. 259—286.—*T.*]

suitable education, to render them valuable and serviceable, made him one of the completest princes in Europe. He had not only a competent knowledge of the liberal sciences, but had made some advances in scholastic learning, and was so particularly taken with that kind of studies, that, as it is reported, had prince Arthur succeeded in the throne, there were some thoughts of his becoming an ecclesiastic. A prince thus qualified could not fail of making a considerable figure in the world; and, indeed, for several years, he answered the ends of his bright parts, and the other qualifications he was master of. And, what still contributed towards completing his character, he came to the crown with all the advantages imaginable; there was no competitor to dispute his title; no debts, but an *exchequer* well furnished, to answer all the ends of government; no factions among the people, who were all big with expectation of flourishing under a head so capable of advancing the interest and reputation of the English nation. Neither did he disappoint them in their expectations. England had an old claim to several provinces in France, which we had been dispossessed of, at first, by quarrels among the ministry, nor were ever since capable of recovering our right, by reason of the continual wars between the houses of Lancaster and York. But these difficulties being now removed, king Henry VIII. put up his claim, and a war ensued between the French and English; the consequence whereof was the taking of two strong cities, Terouenne and Tournay, with all their dependencies. And what still added to the glory of the English arms, the Scots came in to the assistance of their ancient allies, the French, and (the same year king Henry took the aforesaid cities) marched with a formidable army to invade England, but were routed by the king's generals, at the famous battle of Flodden Field, where the king of Scotland, and a great number of his nobility, lost their lives. This was a remarkable specimen of king Henry's martial genius,[1] which he always

[1] [How far these successes may be considered as satisfactory evidences of Henry's "martial genius," may, perhaps, be doubted. For his victories in

gave plain proofs of during his whole reign, when there was occasion to make a trial. And we find, that, towards the latter end of his reign, he was engaged in a war with the same parties, and still came off conqueror. The quarrel began with Scotland, upon account of a treaty of marriage between prince Edward, and the young princess of Scotland, which at first was agreed to ;[1] but by the management of cardinal Beaton, archbishop of St. Andrews, the Scotch nobility refused to give her up, apprehending that such an alliance would be prejudicial to the catholic cause ; for as yet the Scots stood firm in their obedience to the see of Rome. This refusal occasioned a war, in which king Henry was so successful, as to penetrate into the very heart of Scotland ; yet he was not able to lay hold of the young princess. All this while, he was obliged to be upon his guard against the French, who, according to custom, endeavoured to make a diversion in favour of Scotland ; wherefore an army was raised, and sent over into France ; and in a little time he took Boulogne, with a large tract of land belonging to it. These places were, indeed, afterwards surrendered, but it was upon honourable terms, and in such a manner, as discovered king Henry's abilities in the cabinet, as well as in the field.

The story of this king's reign affords many other instances of his politic capacity. I will mention some of them. When the controversy about the divorce was set a-foot, though he could not obtain his ends in the manner he proposed, and according to the methods usually observed in such cases, which were determined by the authority of the see of Rome, yet he displayed his parts so, in that affair, as to omit nothing, that either human

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France, he was, in a great measure, indebted to the advice and assistance of his ally, the emperor Maximilian : for the defeat of the Scots he was entirely beholden to the prowess of the earl of Surrey, the leader of the English army, at Flodden.—*T.*]

[1] [The war had commenced in the preceding year, 1542, before the death of James V. : the proposed marriage, between Edward and Mary, now queen, formed part of a treaty of peace, as the violation of the latter by Henry formed the immediate cause of the renewal of hostilities (Lingard, iv. 325—330). James V. declared that his refusal to abandon the communion of the Roman see was the original cause of the war.—Apud Pinkerton, ii. 83.—*T.*]

art or industry was capable of effecting, in order to bring it to bear; so that, excepting the strong fortress of divine law, his adversaries were beaten from all other posts, and seemingly, at least, came over to him, either by force or stratagem. But here it was, that his glorious character came first to be blasted; for neither the motives of this attempt were so pure, nor the methods he made use of so fair, but that many began to harbour an evil opinion of his sincerity, as well as of the justice of his cause. Afterwards, when he found it was necessary to break with the see of Rome, in order to obtain his desire as to the divorce, though he scandalized all Europe by the defection, yet he showed himself to be a perfect master of politic stratagems, by walking the pope gradually out of his supremacy, and drawing the whole nation imperceptibly after him. His proceedings, upon this occasion, both as to substance and manner, were irreconcileable to the character of a just and religious prince. But he suffered much more in his reputation, in the next step he took, which was the seizure of monastic lands. For here, vice laid aside a great part of her disguise, and plainly discovered her face, upon many occasions. However, it cannot be denied, but that he showed the vastness of his capacity, and, by artificially shuffling the cards, played a bad game with great success. For whatever arguments could be made use of, to seduce the ignorant, surprise the unwary, tempt the licentious, or compel the stubborn, were employed with so much craft and address, that one half of the monasteries fell unpitied, while the rest seemed not to be wrested out of the monks' hands, but voluntarily surrendered. All this while, men of thought and penetration saw plainly through this thin disguise; for, though a reformation of abuses was the pretence, avarice was the real inducement. It is true, a great many national advantages were mentioned, to make the design more acceptable to the common people; and the king's late proceedings against the see of Rome might seem to require such an expedient: but how necessary soever the seizure of abbey lands might be, to support the king in

his supremacy, against any attempts at home from the religious orders, it is certain his majesty was as much out, in his politics, as he was destitute of religion, in proceeding to an universal dissolution, as it quickly appeared from the many national inconveniences, which flowed from it.

We have heard what king Henry VIII. was, as to his politic and martial abilities; the next consideration are his morals and religion. Historians commonly take a great deal of liberty in exposing the defects and faults of crowned heads, and treat them in such a manner, as if they had not as much right to their reputation, as the rest of mankind. I know king Henry is charged with a great many vices in private life, which is a point to be touched very tenderly; for though his public irregularities give occasion to judge the worst of him, yet it is not the part of a christian to improve suspicions into facts, nor is it always allowable to report real facts, to the prejudice of any person's character. Passing over in silence, therefore, the errors of king Henry's private life, I will only take notice of such passages as were notorious, and are publicly recorded by all our historians. And, in the first place, it would be a difficult task to answer for his sincerity, or to give so much as a tolerable reason for his scrupulosity about his marriage, after near twenty years' cohabitation with his queen. The like may be said of his applying himself so earnestly, and so frequently, to the see of Rome for a divorce, as the proper court where that matter was to be decided, and yet, afterwards, making a public declaration, that he never thought himself obliged to submit to any decision, that came from that authority. How unjustly did he treat his faithful minister, cardinal Wolsey!—first, indemnifying him, with his hand and seal, to exercise a legatine power; and, afterwards, suffering him to be impeached upon that account, and stripped of all his substance, and, at the same time, seizing, and keeping from him, the credentials, under the king's own hand and seal, whereby he might have defended himself. And was it not also a barbarous usage of all the clergy,

to bring them in guilty of a premunire, for only incidentally concurring with the legatine court, which he himself required of them? Was it not proved, by punishing several of the misinformers, that he was resolved, right or wrong, to get the lesser monasteries into his hands? And were not the great monasteries afterwards made a prey by him, notwithstanding their religious and edifying behaviour, approved of in parliament, upon the nicest scrutiny of their morals? Who can excuse him from a breach of his royal word, in the disposal he made of the lands and goods belonging to the church? Did he not assure his people, that they should not be secularized, but transferred to other pious uses? that impropriations should be returned to the parochial clergy, the original proprietors; schools erected, colleges improved by additional rents, and armies maintained without loans and subsidies? Did ever any prince expose himself more to censure than king Henry VIII., in breaking through the ties of a matrimonial life, taking and parting with his wives without any regard to laws, either human or divine, and abandoning some of them to the fury of their enemies, till they lost their heads?

This is the account we have of his morals. Now, as to religion, it has puzzled all posterity to know how he stood affected. If he followed any plan, it was neither old nor new, but an irreconcileable system of notions and practices, as his passions transported him. He that prayed for the dead, but destroyed all the pious foundations erected for that purpose; he that made it a capital crime to oppose monastic vows, but dispersed all the religious that embraced that method of life; he that roasted both papists and protestants at the same fire, what account can we give of his creed? All we can say is, that, being declared head of the church, and having renounced that supremacy, which was designed to keep princes within due bounds in all religious matters, he took himself to be sufficiently empowered and qualified to proceed in the manner he did. In this confused manner, he blundered through the remaining part of his reign. And "having long lived a voluptuous life, and

indulgent too much unto his palate, was grown so corpulent, or rather so overgrown with an unwieldy burden of flesh, that he was not able to go up stairs, from one room to another, but as he was hoised up by an engine; which, filling his body with foul and foggy humours, and those humours falling into his leg, in which he had an ancient and uncured sore, they there began to settle to an inflammation, which did both waste his spirits and increase his passions. In the midst of which distempers, it was not his least care to provide for the safety of his son, and preserve the succession of the crown to his own posterity. At such time as he had married queen Anne Boleyn, he procured his daughter, Mary, to be declared illegitimate by act of parliament; the like he also did by his daughter, Elizabeth, when he had married queen Jane Seymour, settling the crown upon his issue by the said queen Jane; but, having no other issue by her but prince Edward only, and none at all by any of his following wives, he thought it a high point of prudence (as indeed it was) to establish the succession with more stays than one, and not to let it rest on so weak a staff, as a child of little more than nine years of age. For which cause he procured an act of parliament, in the 35th year of his reign, in which it is declared, that, in default of issue of the said prince Edward, the crown should be entailed to the king's daughter, the lady Mary, and the heirs of her body, and for default thereof, to the king's daughter, the lady Elizabeth, and the heirs of her body; and for lack of such issue, to such as the king, by his letters patents, or his last will, in writing, should limit..... Of which act of parliament, being now sick, and fearing his approaching end, he resolved to make such use in laying down the state of the succession to the crown imperial, as was more agreeable to his private passions than the rules of justice; which appeared plainly by his excluding of the whole Scottish line, descended from the lady Margaret, his eldest sister, from all hopes thereof..... His infirmity, and the weakness which it brought upon him, having confined him to his bed, he had a great desire to receive the sacrament; and

being persuaded to receive it in the easiest posture, sitting, or raised up in his bed, he would by no means yield unto it; but caused himself to be taken up, placed in his chair, in which he heard the greatest part of the office, till the consecration, and then received the blessed sacrament on his knees, as at other times, saying withal, as Sanders doth relate the story, 'that if he did not only cast himself upon the ground, but even under it also, he could not give unto the sacrament the honour which was due unto it.' The instant of his death approaching, none of his servants, though thereunto desired by his physicians, durst acquaint him with it, till, at last, sir Anthony Denny undertook that ungrateful office; which the king entertaining with less impatience than was looked for from him, gave order that archbishop Cranmer should be presently sent for. But the archbishop being then at his house in Croydon, it was so long before he came, that he found him speechless. Howsoever, applying himself to the king's present condition, and discoursing to him on this point, that salvation was to be obtained only by faith in Christ, he desired the king, that, if he understood the effect of his words, and believed the same, he would signify as much by some sign or other; which the king did, by wringing him gently by the hand; and within a short time after he gave up the ghost." [1] JAN. 28, 1547.

If any one is disposed to interpret this wringing of Cranmer by the hand, as a profession of the reformed religion, in that capital article, of faith alone in the merits of Christ, it will be a difficult matter to reconcile it with his last will and testament, wherein he makes his application to the blessed Virgin and the saints; for both in his will, and in his last speech in parliament, there are several things which neither catholics nor protestants will think proper to allow of. In his last speech, after having returned thanks to the house for the present they had made him of the lands belonging to the colleges, hospitals, chapels, chantries, &c., which he promises to em-

[1] Heylin, 14—16.

ploy to the honour and glory of God, he takes notice of the many divisions, and want of charity, that daily increased amongst his subjects; that preachers were continually railing against one another, with the imputation of heretics, papists, and anabaptists; that there was no hope of a reconciliation, some being fond of their new *sumpsimus*, whilst others were stiff in their old *mumpsimus;* that the laity took unreasonable and unmannerly liberties in declaiming against the clergy; that, in all their contests about religion, they ought not to pronounce upon matters themselves, but have recourse to him, who was the vicar of Christ, and who, with the assistance of his counsel, could put things to rights; that they read the Scriptures, and notoriously abused them, to the worst of purposes; that, in fine, God was never less honoured, nor virtue less countenanced, than in those his days.[1] As to his last will, which bears date December 30, 1546, it runs altogether in the strain of the old religion, excepting the title that he gives himself, of being the supreme head of the church of England immediately under God. He professes his belief in the real presence of Christ in the sacrament of the altar: he "instantly desires" the prayers of the blessed Virgin Mary, and of "all the holy company of heaven:" he directs altars to be erected, and masses to be offered, for the repose of his soul, "while the world shall endure;" and he assigns a sum of one thousand marks, to be distributed in alms on the day of his burial, ordering his executors to "move the poor people to pray heartily unto God for remission of his offences, and the wealth of his soul."[2]

When all the particulars of this king's life are put together, they afford so much variety, and are so inconsistent with one another, that he scarce ever appeared in a proper light, to have his character drawn: so, rather than attempt anything of that kind myself, I will remit the reader to others, who are better qualified for that performance. Now, they tell us, that "all the virtues and vices of all his predecessors, from the conquest, may

[1] See Appendix, No. XLIX.

[2] See Appendix, No. L.

seem in him fully represented, both to their kind and degree; learning, wisdom, valour, magnificence, cruelty, avarice, fury, and lust."[1] "He was one of an uncommon character; in whose great mind was confusedly mixed many eminent virtues, with no less notorious vices."[2] In particular, "it cannot be denied, that he had too much of the tyrant in him."[3] For "wherever he found incompliance, or suspected disaffection, he let loose the rigour of the law."[4] "He has been too justly charged with cruelty, rapaciousness, and lust. . . . And the hand of heaven seemed to lie heavy upon him and his family; for, notwithstanding all his extraordinary methods to obtain posterity, and his peculiar establishments of the succession, from six several wives he was not able to produce one grandchild."[5] Some paint him out still in blacker colours, and stick not to say, "that he never spared woman in his lust, nor man in his anger."[6] And sir Walter Raleigh says of him, "that, if all the patterns of a merciless prince had been lost in the world, they might have been found in this king."

This is the description which Protestant writers give of king Henry; and those of the catholic party are not more favourable to his memory. It is to be supposed, that they had truth chiefly in view, in drawing his character; but then, both parties might be induced, by particular motives, to give him no quarter. Catholics, questionless, thought it to be very much to the advantage of the old religion, that a person of so vile a character should lay the first corner-stone of the new one; and they might be confirmed in this opinion, from the inconsistence with the usual methods of divine providence. For what can reflect more upon the wisdom and goodness of the supreme Being, than to make use of such unworthy instruments to reform his church? On the other hand, Protestant writers may allege, that Heaven is not confined to human rules, but may make use of any methods, though never so unsuitable, as ac-

[1] Fuller, B. 5, p. 165. [2] Camden, Introd. to the Annals of Q. Eliz. [3] Heylin, 15. [4] Collier, ii. 153. [5] Echard, i. 716, 717. [6] Heylin, 14.

tually was done, when such despicable persons as the twelve apostles were employed in planting the gospel all over the world; to which they may farther add, that, though king Henry and his instruments were guilty of many notorious offences, yet being educated in popish principles, which they still, in a great measure retained, it is to these, and not to the maxims of the reformers, that their irregularities and crimes are to be ascribed. But how plausible soever this comment upon king Henry's morals may appear to prejudiced persons, and such as are void of thought and reflection, it will not stand the test before those, that have a rational way of thinking, and give themselves leisure to consider circumstances, as well as facts. It will not be denied by catholics, but that God, in regard of his omnipotence and absolute power, may make use of what instruments he pleases, to carry on his works, though never so much disproportioned; but, if regard be had to the established methods of Providence, whether natural or moral, certain qualifications are required, in every instrument that produces an effect. And, particularly as to the government of the church of God, whether planting or reforming, it is highly injurious both to the wisdom, and all the other attributes, of the Deity, to imagine, that wicked instruments should be employed to any such purposes. It is true, the apostles were unqualified, as to the secular advantages of learning, riches, power, interest, &c.; but then, they were honest men, they were just men, they were religious men, they were inoffensive in their behaviour, both in the eye of God and the world. This qualified them for the work they were employed in; whereas, immorality, as ambition, lust, avarice, sensuality, sacrilege, theft, murder, revenge, and cruelty, and such like crimes (could their enemies have charged them with them), would have proved such disqualifications, that God would never have appeared in their cause, nor would their preaching have had any effect. Upon this account it is, that catholics cannot get over the difficulty how God could employ wicked instruments to reform his church. What is mentioned in the next place, by way of reply to

catholics, may, perhaps, have something of ingenuity, but it wants solidity to a great degree. To charge the scandalous part of king Henry's life upon his popish education, is so groundless an aspersion, that it is inconsistent with every circumstance of the facts. While he lived, like other princes, in a due subjection to the see of Rome in all spiritual matters, no one had a better character; but, as the first step of unfortunate children is disobedience to their parents, this seems to have been the origin of king Henry's disorderly life; who no sooner had broke out of the pale of the church, but he ranged, without control, through all the paths of vice. Perhaps, catholics will not recriminate so closely in their reflections, as to charge the monstrous crimes he was guilty of upon the reformers' principles (though some of his advisers, who put him upon the method of reforming, were capable of delivering such lessons); yet it has always been an observation, both in private life, and in the fate of nations, that a defection from the universal church had two dismal consequences, free-thinking as to religion, and a boundless liberty as to morals.

APPENDIX.

No. I.—(*Referred to at page* 121.)

Letter of complaint, sent by the nobles and commons of England to pope Innocent IV., at the general council of Lyons, anno 1245 *: translated by Foxe (I.* 326.*), from the Latin of M. Paris, p.* 585.

To the Reverend Father in Christ, pope Innocent, chief bishop, the nobles, with the whole commonalty of the realm of England, send commendation, with kissing of his blessed feet.

Our mother, the church of Rome, we love with all our hearts, as our duty is, and covet the increase of her honour, with so much affection as we may, as to whom we ought always to fly for refuge, whereby the grief, lying upon the child, may find comfort at the mother's hand; which succour the mother is bound so much the rather to impart to her child, how much more kind and beneficial she findeth him in relieving her necessity. Neither is it to the said our mother unknown, how beneficial and bountiful a giver the realm of England hath been, now of long time, for the more amplifying of her exaltation, as appeared by our yearly subsidy, which we term by the name of *Peter-pence.* Now the said church, not content with this yearly subsidy, hath sent divers legates for other contributions, at divers and sundry times, to be taxed, and levied out of the same realm, all which contributions and taxes, notwithstanding, have been lovingly and liberally granted.

Furthermore, neither is it unknown to your fatherhood, how our forefathers, like good catholics, both loving, and fearing their Maker, for the soul's health as well of themselves as of their progenitors, and successors also, have founded monasteries, and largely have endowed the same, both with their own proper lands, and also patronages of benefices, whereby such religious persons, professing the first and chiefest perfection of holy religion, in their monasteries, might, with more peace and tranquillity, occupy themselves devoutly in God's service, as to the order appertained; and also the clerks, presented by them into their

benefices, might sustain the other exterior labours for them, in that second order of religion, and so discharge, and defend them from all hazards; so that the said religious monasteries cannot be defrauded of those their patronages, and collations of benefices, but the same must touch us also very near, and work intolerable griefs unto our hearts.

And now see, we beseech you, which is lamentable to behold, what injuries we sustain by you and your predecessors, who, not considering those our subsidies, and contributions above remembered, do suffer also your Italians and foreigners, which be out of number, to be possessed of our churches and benefices in England, pertaining to the right and patronage of those monasteries aforesaid; which foreigners neither defending the said religious persons, whom they ought to see to, nor yet *having the language, whereby they may instruct the flock,*[1] take no regard of their souls, but utterly leave them, of wild wolves to be devoured: wherefore, it may truly be said of them, that they are no good shepherds, whereas neither they know their sheep, nor the sheep do know the voice of their shepherds. Neither do they keep any hospitality, (or practice any alms-giving),[2] but only take up the rents of those benefices, carrying them out of the realm, wherewith our brethren, our nephews, and our kinsfolks, might be sustained, who could and would dwell upon them, and employ such exercises of mercy and hospitality, as their duty required; whereof a great number now, for mere necessity, are laymen, and fain to fly out of the realm.

And now, to the intent more fully to certify you of the truth, ye shall understand, that the said Italians and strangers, receiving of yearly rents out of England not so little as 60,000 marks by year, besides other avails and excises deducted, do reap, in the said our kingdom of England, more emoluments of mere rents, than doth the king himself, being both tutor of the church, and governor of the land.

Furthermore, whereas, at the first creation of your papacy, we were in good hope, and yet are, that, by means of your fatherly goodness, we should enjoy our franchises, and free collation of our benefices, and donatives, to be reduced again to the former state, now cometh another grievance, which we cannot but signify unto you, pressing us above measure, which we receive by M. Martinus, who entering late into our land, without leave of our king, with greater power than ever was seen before in any legate, although he beareth not the state and shew of a legate, yet he hath doubled the doings of a legate, charging us every day with new mandates, and so, most extremely hath oppressed us; first,

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[1] [The words in italics are not in the original.—*T.*]

[2] [The words in this parenthesis are omitted by Foxe.—*T.*]

in bestowing and giving away our benefices, if any were above 30 marks, as soon as they were vacant, to Italian persons; secondly, after the decease of the said Italians, unknowing to the patrons, he hath intruded other Italians therein, whereby the true patrons have been spoiled and defrauded of their right; thirdly, the said M. Martinus yet also ceaseth not to assign and confer such benefices still unto the like persons, and some he reserveth to the donation of the apostolic see; and extorteth, moreover, from religious houses immoderate pensions, excommunicating and interdicting whosoever dare gainstand him. Wherefore, forasmuch as the said M. Martin hath so far extended his jurisdiction (a jurisdiction, which, we are confident, he has not received from you),[1] to the great perturbation of the whole realm, and no less derogation to our king's privilege, to whom it hath been fully granted by the see apostolic, that no legate should have to do in his land, but such as he, by special letters, did send for; we, with most humble devotion, beseech you, that, as a good father will always be ready to support his child, so your fatherhood will reach forth your hand of compassion to relieve us, your humble children, from these grievous oppressions. And although our lord and king, being a catholic prince, and wholly given to his devotions, and service of Christ Jesus our Lord, so that he respecteth not the health of his own body, will fear and reverence the see apostolic, and, as a devout son of the church of Rome, desireth nothing more than to advance the estate and honour of the same, yet we, which travail in his affairs, bearing the heat and burthen of the day, and whose duty, together with him, is, to tender the preservation of the public wealth, neither can patiently suffer such oppressions, so detestable to God and man, and grievances intolerable, neither, by God's grace, will suffer them, through the means of your godly remedy, which we will hope and trust of you speedily to obtain. And thus, may it please your fatherhood, we beseech you to accept this our supplication, who, in so doing, shall worthily deserve of all the lords and nobles, with the whole commonalty of the realm of England, condign and special thanks accordingly.

No. II.—(*Referred to at page* 129.)

Stat. 9 *Hen.* III. *cap.* 36.—*No land to be given in Mortmain.*—It shall not be lawful, from henceforth, to any to give his lands to any religious house, and to take the same land again, to hold of the same house. Nor shall it be lawful to any house of religion to take the lands of any, and to lease the same to him, of whom he received it. If any, from hence-

[1] [The words in this parenthesis are omitted by Foxe.—*T.*]

forth, give his lands to any religious house, and thereupon be convict, the gift shall be utterly void, and the land shall accrue to the lord of the fee.

Stat. 7 *Ed.* I. *St.* 2. All alienations of land in mortmain, whether by sale or gift, by whatever means, or under whatever pretext, are forbidden, on pain of forfeiture to the immediate lord of the fee; or, in his default for twelve months, to the lord paramount; or, in default of the lord paramount, for other six months, to the crown.

Stat. 13 *Ed.* I. *cap.* 32. To prevent collusion, this statute provides, that, in all cases, wherein the clergy or religious shall set up a title to any land, and judgment shall be suffered to go by default, a jury shall be empannelled to try the validity of the title; and if fraud shall be discovered, the land shall be forfeited, as under the preceding statute.

Stat. 15 *Ric.* II. *cap.* 5. This statute enacts, that all lands, held in trust for the use of ecclesiastical corporations, shall henceforth be taken and deemed to be in mortmain: it orders all such lands, fees, and possessions to be forthwith amortized, or otherwise alienated, on pain of forfeiture; and it extends its provisions, and those of the preceding statutes, to all secular corporations, to all mayors, bailiffs and commons of cities and other places, having a perpetual commonalty, or offices perpetual.

No. III.—(*Referred to at page* 134.)

Stat. 3 *Ed.* I. *cap.* I. *Of Religious Houses.*—And because that abbeys, and houses of religion of the land, have been overcharged, and sore grieved, by the resort of great men and other, so that their goods have not been sufficient for themselves, whereby they have been greatly hindred and impoverished, that they cannot maintain themselves, nor such charity as they have been accustomed to do; It is provided, that none shall come to eat or lodge in any house of religion, of any other's foundation than of his own, at the costs of the house, unless he be required by the governor of the house, before his coming thither. And that none, at his own costs, shall enter and come to lie there, against the will of them that be of the house. And that no purveyance be demanded from a prelate or other religious person, without the owner's consent. And the king forbiddeth and commandeth, that none, from henceforth, do hurt, damage, or grievance, to any religious man, or person of the church, or any other, because they have denied meat or lodging unto them, or because that any complaineth in the king's court, that he hath been grieved in any of the things above mentioned. And if any do, and hereof be attainted, he shall incur, &c.

Cap. 2. *Of Clerks convicted of felony.*—It is provided also, that,

when a clerk is taken for guilty of felony, and is demanded by the ordinary, he shall be delivered to him, according to the privilege of holy church, on such peril as belongeth to it, after the custom aforetimes used. And the king admonisheth the prelates, and enjoineth them, upon the faith that they owe to him, and for the common profit and peace of the realm, that they which be indicted of such offences, by solemn inquest of lawful men, in the king's court, in no manner shall be delivered without due purgation, so that the king shall not need to provide any other remedy therein.[1]

Stat. 13 *Ed.* I. *cap.* 34. *Of carrying off a Nun.*—He that carrieth a nun from her house, although she consent, shall be punished by three years' imprisonment, and shall make convenient satisfaction to the house, from whence she was taken, and nevertheless shall make fine at the king's will.

Cap. 41. *Of alienating Abbey and other lands.*—If abbey lands, or lands given for the maintenance of a chantry, or of light in a church or chapel, or for other alms, be alienated, the lands shall be taken into the king's hands, and the purchaser shall lose his recovery, as well of the lands, as of the money that he paid, and the representative of the founder shall have a writ, to recover the same lands in demesne.

Stat. Circumspecte agatis. 13 *Ed.* I. *Certain cases, wherein the king's prohibition doth not lie.*—The king to his judges sendeth greeting. Use yourselves circumspectly in all matters concerning the bishop of Norwich and his clergy, not punishing them if they hold plea, in court christian, of such things as be meer spiritual, that is to wit, of penance enjoined by prelates for deadly sin, as fornication, adultery, and such like, for the which, sometimes corporal penance, and sometime pecuniary, is enjoined; specially if a freeman be convict of such things.

Also if prelates do punish for leaving the church-yard unclosed, or for that the church is uncovered, or not conveniently decked, in which cases none other penance can be enjoined but pecuniary.

Item, if a parson demand of his parishioners oblations or tithes due and accustomed; or if any parson do sue against another parson for tithes greater or smaller, so that the fourth part of the value of the benefice be not demanded.

Item, if a parson demand mortuaries, in places where a mortuary hath been used to be given.

Item, if a prelate of a church, or a patron, demand of a parson a pension, due to him, all such demands are to be made in a spiritual court.

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[1] This part of the statute is repeated and confirmed, in Stat. 25 Ed. III. St. 3, cap. 4.

And for laying violent hands on a clerk, and in cause of defamation, it hath been granted already, that it shall be tried in a spiritual court, when money is not demanded, but a thing done for punishment of sin; and likewise for breaking an oath. In all cases afore rehearsed, the spiritual judge shall have power to take knowledge, notwithstanding the king's prohibition.

Stat. de asportatis Religiosorum. 35 *Ed.* I. cap. 1.—Of late it came to the knowledge of our lord, the king, by the grievous complaint of the honourable persons, lords, and other noblemen of his realm, that, whereas monasteries, priories, and other religious houses, were founded to the honour and glory of God, and the advancement of the holy church, by the king and his progenitors, and by the said noblemen and their ancestors, and a very great portion of lands and tenements have been given by them to the said monasteries, priories, and houses, and the religious men serving God in them, to the intent that clerks and laymen might be admitted to such monasteries, priories, and religious houses, according to their sufficient ability, and that sick and feeble men might be maintained, hospitality, alms-giving, and other charitable deeds might be done, and that in them prayers might be said for the souls of the said founders and their heirs, the abbots, priors, and governors of the said houses, and certain aliens, their superiors, as the abbots and priors of *Cistercienses* and *Premonstratenses*, and of the order of St. Augustine, and St. Benedict, and many more of other religious orders, have, at their own pleasures, set divers unwonted, heavy, and importable tallages, payments, and impositions, upon every of the said monasteries and houses in subjection unto them, in England, Ireland, Scotland, and Wales, without the privity of our lord, the king, and his nobility, contrary to the laws and customs of the said realm; and thereby the number of religious persons and other servants, in the said houses and religious places, being oppressed by such tallages, payments, and impositions, the service of God is diminished, alms be not given to the poor, the sick, and feeble; the healths of the living, and the souls of the dead be miserably defrauded; hospitality, alms-giving, and other godly deeds do cease; and so, that which, in times past, was charitably given to godly uses, and to the encrease of the service of God, is now converted to an evil end; by permission whereof there groweth great scandal to the people, and infinite losses and disheritances are like to ensue to the founders of the said houses, and their heirs, unless speedy and sufficient remedy be provided, to redress so many and grievous detriments: Wherefore our foresaid lord, the king, considering that it would be very prejudicial to him and his people, if he should any longer suffer so great losses and injuries to be winked at, and therefore being willing to maintain and

defend the monasteries, priories, and other religious houses, erected in his kingdom, and in all lands subject to his dominion, and, from henceforth, to provide sufficient remedy, to reform such oppressions as he is bound, by the counsel of his earls, barons, great men, and other nobles of his kingdom, in his parliament holden at Westminster, in the five and thirtieth year of his reign, hath ordained and enacted :—

Cap. 2. That no abbot, prior, master, warden, or any other religious person, of whatsoever condition, state, or religion he be, being under the king's power or jurisdiction, shall, by himself, or by merchants, or others, secretly or openly, by any device or means, carry, or send, or by any means cause to be sent, any tax imposed by the abbots, priors, masters, or wardens of religious houses, their superiors, assessed amongst themselves, out of his kingdom and his dominion, under the name of rent, tallage, or any kind of imposition, or otherwise, by way of exchange, mutual sale, or other contract, howsoever it may be termed. Neither shall depart into any other country, for visitation, or upon any other colour, by that means to carry the goods of their monasteries and houses out of the kingdom and dominion aforesaid.

No. IV.—(*Referred to at page* 138.)

Stat. 9 *Ed.* II. *Articuli Cleri.*

Cap. 1 and 2 repeat a part of the enactments of the Statute "*Circumspecte agatis,*" given in the preceding number.

Cap. 3.—If any lay violent hands on a clerk, the amends for the peace broken shall be before the king, and for the excommunication before a prelate, that penance corporal may be enjoined ; which if the offender will redeem of his own good will, by giving money to the prelate, or to the party grieved, it shall be required before the prelate, and the king's prohibition shall not lie.

Cap. 4.—In defamations, also, prelates shall correct, in manner abovesaid, the king's prohibition notwithstanding, first enjoining a penance corporal ; which if the offender will redeem, the prelate may freely receive the money, though the king's prohibition be shewed.

Cap. 5.—Ordains, that no prohibition shall lie against the demand of tithe from a new mill :

Cap. 6.—Nor against proceeding in the civil court, in a case which has been tried and decided, by the spiritual judge.

Cap. 7.—The king's letters shall not be sent, to discharge an excommunicate, except in case the king's liberty is prejudiced by the excommunication.

Cap. 8.—It pleaseth our lord, the king, that such clerks as attend to his service, if they offend, shall be correct by their ordinaries, like as

other: but so long as they are occupied about the exchequer, they shall not be bound to keep residence in their churches.

Cap. 9.—No distresses shall be levied in the highway, or in the ancient fees of the church.

Cap. 10.—Persons abjuring the realm shall be "in the king's peace," whilst on the highway, or in the church.

Cap. 11.—Adds the compulsory levying of corrodies and pensions to the offences, for which remedy may be had, by the Statute 3 Ed. 1. cap. 1.

Cap. 12.—A clerk, excommunicate for contumacy, may be taken out of the parish where he dwelleth.

Cap. 13.—The examination of a parson, presented to a benefice, belongeth to a spiritual judge.

Cap. 14.—Elections to dignities of the church shall be made free, according to the form of statutes and ordinances.

Cap. 15.—A clerk fleeing to the church, for felony, to obtain the privilege of the church, if he affirm himself to be a clerk, he shall not be compelled to abjure the realm; but yielding himself to the law of the realm, shall enjoy the privilege of the church, according to the laudable custom of the realm, heretofore used.[1]

Cap. 16.—The privilege of the church, being demanded by the ordinary, shall not be denied to a clerk that hath confessed felony.[2]

No. V.—*(Referred to at page* 138.*)*

Stat. 17 *Ed.* II. *St.* 2. *de Terris Templariorum.*

I. For that the military order of Templars ceasing and being dissolved, the lands and tenements in demesnes, fees, and services of the brethren of the same order, which they held in their fraternity, in the realm of England, in the time of the same ceasing and dissolution of the foresaid order, which were holden of our lord, the king, and divers other lords in this kingdom, were seized into the hands of our sovereign lord, the king, and of divers other lords of the fees of them, who challenged the same lands for the consideration aforesaid, that the same lands ought to revert to them, as their escheats: Whereupon, after, in a parliament of the most noble prince, king Edward, son of king Edward, summoned and assembled at Westminster, three weeks after the day of the Purification of the Blessed Virgin Mary, in the seventeenth year of the reign of the same king, great conference was had before the king himself, in the presence

[1] [By the Statute 21 Jac. I. cap. 28, the privilege of sanctuary was for ever abolished. Of course, therefore, this chapter, no less than the chapter (10) relating to abjuration, was repealed.—*T.*]

[2] See also Stat. 18 Ed. III. St. 3.

of the prelates, earls, barons, nobles, and great men of the realm, and others there present, whether the foresaid lords of the fees, or others, which held those lands that were the foresaid Templars, as is aforesaid, might retain them by the law of the realm, and with safe conscience: Whereupon, the greater part of the king's council, as well the justices as other lay persons, being assembled together, the said justices affirmed precisely, that our lord, the king, and other lords of the fees aforesaid, might well and lawfully, by the laws of the realm, retain the foresaid lands as their escheats, in regard of the ceasing and dissolution of the order aforesaid.

II. But because the lands and tenements aforesaid were given to the brethren of the said order, for the defence of christians and the holy land, against pagans, and saracens, and other enemies of Christ and christians, and the universal holy church; It seemeth good to our lord, the king, the noblemen, and others, assembled in the same parliament, for the health of their souls, and discharge of their consciences, that, whereas the said military order of Templars were originally instituted for the defence of christians, and the universal holy church, subversion of the enemies of Christ and christians, and canonized to the augmentation of the honour of God, and liberal almsgiving, that the foresaid lands and tenements in demesnes, lordships, services, liberties, customs, and all other things pertaining thereunto, and by any thing depending thereupon, according to the wills of the givers, shall be assigned and delivered to other men of most holy religion, to the intent, the fruits, adventions, and profits of the said lands and tenements, and other things, may be converted, and charitably disposed to godly uses. And thereupon, in the same parliament, it is agreed, ordained, and established for law, to continue for ever, that neither our lord, the king, nor any other lords of the fees aforesaid, or any other person, hath title or right to retain the foresaid lands and tenements, with the appurtenances, or any part thereof, in regard of escheat, or by any other means, or hereafter to challenge the same lands, in respect of the ceasing or dissolution of the foresaid military order of Templars, whereof the brethren of the same order were seized in their demesnes, as of fee, at the time of the ceasing and dissolution aforesaid; notwithstanding that the foresaid lands and tenements, after the said ceasing and dissolution, came to the hands of divers persons, by descent of inheritance, gift, or purchase, or by any other means; and notwithstanding any law or custom of the realm of England, whereby this law, ordinance, and statute, touching the assignment and conveyance of the foresaid lands and tenements, might be hindered, impugned, or counterpleaded.

III. Seeing the order of the brethren of the hospital of St. John of

Hierusalem was likewise ordained, instituted, and canonized, for defence of christians and the holy church; It is agreed, and enacted, in the said parliament, by our foresaid lord, the king, the prelates, earls, barons, and other great men of the realm there being, that, insomuch as the foresaid order of the Templars is ceased and dissolved, and the foresaid order of the hospital is provided, instituted, and canonized, for the defence of christians, as is aforesaid, that all the lands, tenements, lordships, fees, churches, advowsons of churches, and liberties, with all things to them belonging, which were the said Templars, at the time of their ceasing and dissolution, shall be assigned and delivered to the foresaid order of the hospital, and to the prior and brethren of the same hospital, to remain to them and their successors for ever. Wherefore, our said lord, the king, by the mutual assent of the earls, barons, and noblemen aforesaid, of his regal authority, in the same parliament, hath assigned to determine and deliver all the foresaid lands, tenements, lordships, fees, churches, advowsons, and liberties, with their appurtenances, to the foresaid order of the hospital, and to the said prior and brethren of the said order, to have and hold to the same prior, and his brethren, and successors, for ever, of our lord, the king, and other lords of the fees aforesaid, by the same services, by which the brethren of the military order of Templars held the same, at the time of their ceasing and dissolution;—as in relieving of the poor, in hospitalities, in celebrating divine service, defence of the holy land, and in all other offices and services before-time due, by whatsoever names they be called: so always, that the godly and worthy will of the foresaid givers be observed, performed, and always religiously executed, as is aforesaid, saving to every person his action, if he had any, the time of the ceasing and dissolution aforesaid, against the same Templars, in the foresaid lands and tenements, rents, services, customs, pensions, corrodies, liberties, celebrating of masses, alms, and other things whatsoever, and liberty to prosecute his right against the said prior and brethren of the hospital aforesaid, and their brethren, and their successors, according to the law and custom of the realm, as he might have had against the foresaid Templars, if the order aforesaid had not been dissolved: And if it fortune that the said prior and brethren of the hospital aforesaid, or their successors, shall be put out of the foresaid lands and tenements, or of any parcel thereof, after they shall be seized of the same, they shall have power to recover their own, according to the law of the realm.

IV. And to the intent, that the assignment, before specified, may be published, and made known to all men, to whom it behoveth; It is ordained and agreed, in the same parliament, that it shall be openly proclaimed, in every county of this kingdom, that all and every person,

holding the lands and tenements aforesaid, and all others, to whom it doth appertain, shall be at Westminster, one month after Easter-day next, if they will, to hear the concord, provision, and assignment aforesaid, in form aforesaid.

No. VI.—(*Referred to at page* 142.)

Statute of Provisors of Benefices, 25 *Ed.* III. *St.* 6.

I. Whereas late, in the parliament of good memory of Edward, king of England, grandfather to our lord, the king, that now is, the twenty-fifth[1] year of his reign, holden at Carlisle, the petition heard, put before the said grandfather and his council, in his said parliament, by the commonalty of the said realm, containing, that whereas the holy church of England was founded in the estate of prelacy, within the realm of England, by the said grandfather, and his progenitors, and the earls, barons, and other nobles of his said realm, and their ancestors, to inform them, and the people, of the law of God, and to make hospitalities, alms, and other works of charity, in the places where the churches were founded, for the souls of the founders, their heirs, and all christians; and certain possessions, as well in fees, lands, rents, as in advowsons, which do extend to a great value, were assigned by the said founders to the prelates, and other people of the holy church of the said realm, to sustain the same charge, and especially of the possessions which were assigned to archbishops, bishops, abbots, priors, religious, and all other people of holy church, by the kings of the said realm, earls, barons, and other great men of his realm; the same king, earls, barons, and other nobles, as lords, and advowees, have had, and ought to have, the custody of such voidances, and the presentments, and the collations of the benefices, being of such prelacies.

II. And the said kings, in times past, were wont to have the greatest part of their council for the safeguard of the realm, when they had need, of such prelates, and clerks so advanced: the bishop of Rome, accroaching to him the seigniories of such possessions and benefices, doth give and grant the same benefices to aliens, which did never dwell in England, and to cardinals, which might not dwell here, and to other, as well aliens, as denizens, as if he had been patron, or advowee of the said dignities and benefices, as he was not, of right by the law of England; whereby, if they should be suffered, there should scarcely be any benefice, within a short time, in the said realm, but that it should be in the hands of aliens and denizens, by virtue of such provisions, against the

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[1] [Thus all the printed copies of the Statute. Gibson, however, has shown that it ought to be the *thirty*-fifth. Codex Jur. Eccl. i. 75.—*T.*]

good-will and disposition of the founders of the same benefices. And so, the elections of archbishops, bishops, and other religious, should fail, and the alms, hospitalities, and other works of charity, which should be done in the said places, should be withdrawn, the said grandfather, and other lay-patrons, in the time of such voidances, should lose their presentment, the said council should perish, and goods without number should be carried out of the realm, in adnullation of the estate of the holy church of England, and disherison of the said grandfather, and the earls, barons, and other nobles of the said realm, and in offence, and destruction, of the laws and rights of his realm, and to the great damage of his people, and in subversion of all the estate of his said realm, and against the good disposition and will of the first founders: By the assent of the earls, barons, and other nobles, and of all the said commonalty, at their instances and requests, the damage and grievances afore considered, in the said full parliament, it was ordained, provided, established, agreed, adjudged, and considered, that the said oppressions, grievances, and damages in the same realm, from henceforth, should not be suffered in any manner. And now, it is shewed to our lord, the king, in this present parliament, holden at Westminster, at the utas of the purification of our lady, the five and twentieth year of his reign of England, and of France the twelfth, by the grievous complaints of all the commons of his realm, that the grievances, and mischiefs aforesaid, do daily abound, to the greater damage and destruction of all his realm of England, more than ever were before: viz. that, now of late, the bishop of Rome, by procurement of clerks and otherwise, hath reserved, and doth daily reserve, to his collation generally, and especially, as well archbishoprics, bishoprics, abbeys, and priories, as all other dignities, and other benefices of England, which be of the advowry of people of holy church, and give the same as well to aliens as to denizens, and taketh of all such benefices the first-fruits, and many other profits, and a great part of the treasure of the said realm is carried away, and dispended out of the realm, by the purchasers of such benefices, and graces aforesaid; and also, by such privy reservations, many clerks advanced in this realm by their true patrons, which have peaceably holden their advancements by long time, be suddenly put out: whereupon, the said commons have prayed our said lord the king, that, sith the right of the crown of England, and the law of the said realm, is such, that, upon the mischiefs and damages which happen to his realm, he ought, and is bound, by his oath, with the accord of his people in his parliament, thereof to make remedy and law, and in removing the mischiefs and damages which thereof ensue, that it may please him thereupon to ordain remedy.

III. Our lord, the king, seeing the mischiefs and damage before men-

tioned, and having regard to the said statute, made in the time of his said grandfather, and to the causes contained in the same (which statute holdeth always his force, and was never defeated, repealed, nor adnulled, in any point, and by so much he is bounden, by his oath, to cause the same to be kept as the law of his realm, though that by sufferance and negligence it hath been sithence attempted to the contrary), also having regard to the grievous complaints made to him by his people, in divers his parliaments, holden heretofore, willing to ordain remedy for the great damages and mischiefs which have happened, and daily do happen, to the church of England, by the said cause; by the assent of all the great men, and the commonalty of the said realm, to the honour of God, and profit of the said church of England, and of all his realm, hath ordered and established, That the free elections of archbishops, bishops, and all other dignities, and benefices elective in England, shall hold, from henceforth, in the manner as they were granted by the king's progenitors, and the ancestors of other lords, founders of the said dignities, and other benefices; and that all prelates, and other people of holy church, which have advowsons of any benefices of the king's gift, or of any of his progenitors, or of other lords and donors, to do divine services, and other charges thereof ordained, shall have their collations and presentments freely to the same, in the manner as they were infeoffed by their donors; and, in case that reservation, collation, or provision, be made by the court of Rome, of any archbishopric, bishopric, dignity, or other benefice, in disturbance of the free elections, collations, or presentations, aforenamed, which, at the same time of the avoidance, that such reservations, collations, and provisions, ought to take effect, our lord the king, and his heirs, shall have and enjoy, for the same time, the collations to the archbishoprics, and other dignities elective, which be of his advowry, such as his progenitors had, before that free election was granted, since that the election was first granted by the king's progenitors, upon a certain form and condition, as, to demand license of the king to choose, and, after the election, to have his royal assent, and not in other manner. Which conditions not kept, the thing ought, by reason, to resort to his first nature.

IV. And if any such reservation, provision, or collation be made, of any house of religion of the king's advowry, in disturbance of free election, our sovereign lord, the king, and his heirs, shall have, for that time, the collation, to give this dignity to a convenient person; and, in case that collation, reservation, or provision, be made by the court of Rome, of any church, prebend, or other benefices, which be of the advowry of people of holy church, whereof the king is advowee paramount immediate, that, at the same time of the voidance, at which time

the collation, reservation, or provision ought to take effect, as afore is said, the king, and his heirs, thereof shall have the presentment, or collation, for that time: And so, from time to time, whensoever such people of holy church shall be disturbed of their presentments, or collations, by such reservations, collations, or provisions, as afore is said; saving to them the right of their advowsons, and their presentments, when no collation, or provision of the court of Rome is thereof made, where that the said people of holy church shall or will to the same benefices present, or make collation; and that their presentees may enjoy the effect of their collations or presentments. And, in the same manner, every other lord, of what condition that he be, shall have the collations, or presentments to the houses of religion, which be of his advowry, and other benefices of holy church, which be pertaining to the same houses. And if such advowees do not present to such benefices, within the half year after such voidances, nor the bishop of the place do not give the same, by lapse of time, within a month after half-a-year, that then the king shall have thereof the presentments and collations, as he hath of other of his own advowry: and, in case that the presentees of the king, or the presentees of other patrons of holy church, or of their advowees, or they to whom the king, or such patrons, or advowees aforesaid, have given benefices pertaining to their presentments, or collations, be disturbed by such provisors, so that they may not have possession of such benefices, by virtue of the presentments, or collations, to them made, or that they, which be in possession of such benefices, be impeached upon their said possessions by such provisors, then the said provisors, their procurators, executors, and notaries, shall be attached by their body, and brought in, to answer; and, if they be convict, they shall abide in prison, without being let to mainprise, or bail, or otherwise delivered, till that they have made fine and ransom to the king, at his will, and agree to the party that shall feel himself grieved: and, nevertheless, before that they be delivered, they shall make full renunciation, and find sufficient surety, that they shall not attempt such things, in time to come, nor sue any process, by them, nor by other, against any man, in the court of Rome, nor in any part elsewhere, for any such imprisonments, or renunciations, nor any other thing depending of them.

V. And, in case that such provisors, procurators, executors, or notaries, be not found, that the exigent shall run against them, by due process, and that writs shall go forth to take their bodies, in what parts they be found, as well at the king's suit, as at the suit of the party; and that, in the meantime, the king shall have the profits of such benefices, so occupied by such provisors, except abbeys, priories, and other houses,

which have colleges, or convents, and, in such houses, the colleges and convents shall have the profits; saving always to our lord the king, and to all other lords, their old right. And this statute shall have place, as well of reservations, collations, and provisions, made and granted in times past against all them, which have not yet obtained corporal possession of the benefices, granted to them by the same reservations, collations, and provisions, as against all other, in time to come. And this statute ought to hold place, and to begin at the said utas.

No. VII.—*(Referred to at page* 143.*)*

Stat. 27 Ed. III. cap. 1.—*Premunire for suing in a Foreign Realm, or Impeachment of Judgment given.*

First, because it is shewed to our lord, the king, by the grievous and clamorous complaints of the great men and commons aforesaid, how that divers of the people be, and have been, drawn out of the realm, to answer of things, whereof the cognizance pertaineth to the king's court; and also, that the judgments, given in the same court, be impeached in another court, in prejudice and disherison of our lord, the king, and of his crown, and of all the people of his said realm, and to the undoing and destruction of the common law of the same realm, at all times used: Whereupon, good deliberation had with the great men, and other of his said council, it is assented, and accorded by our lord, the king, and the great men and commons aforesaid, that all the people of the king's liegeance, of what condition that they be, which shall draw any out of the realm, in plea, whereof the cognizance pertaineth to the king's court, or of things whereof judgments be given in the king's court, or which do sue in any other court, to defeat or impeach the judgments given in the king's court, shall have a day, containing the space of two months, by warning to be made to them, in the place where the possessions be, which be in debate, or otherwise, where they have lands or other possessions, by the sheriffs, or other the king's ministers, to appear before the king and his council, or in his chancery, or before the king's justices, in his places, of the one bench or the other, or before other the king's justices, which to the same shall be deputed, to answer in their proper persons to the king, of the contempt done in this behalf. And if they come not, at the said day, in their proper person, to be at the law, they, their procurators, attorneys, executors, notaries, and maintainers, shall, from that day forth, be put out of the king's protection, and their lands, goods, and chattels forfeit to the king, and their bodies, wheresoever they may be found, shall be taken, and imprisoned, and ransomed, at the king's will. And, upon the same, a writ shall be made,

to take them by their bodies, and to seize their lands, goods, and possessions, into the king's hands: and if it be returned, that they be not found, they shall be put in exigent, and outlawed.

II. Provided always, that, at what time they come, before they be outlawed, and will yield them to the king's prison, to be justified by the law, and to receive that which the court shall award in this behalf, that they shall be thereto received: the forfeiture of the lands, goods, and chattels abiding in their force, if they do not yield them within the said two months, as afore is said.

No. VIII.—*(Referred to at page* 151.*)*

Stat. 13 *Ric. II. cap.* 2.—*A Confirmation of the Statute of Provisors made* 25 *Edward III., and the Forfeiture of him that accepteth a Benefice contrary to that Statute.*

After confirming the statute 25 Edward III., it thus proceeds:

And if any do accept of a benefice of holy church contrary to this statute, and that duly proved, and be beyond sea, he shall abide exiled, and banished out of the realm for ever, his lands and tenements, goods and chattels, shall be forfeit to the king; and, if he be within the realm, he shall be also exiled, and banished, as afore is said, and shall incur the same forfeiture, and take his way, so that he be out of the realm within six weeks next after such acceptance. And if any receive any such person banished, coming from beyond the sea, or being within the realm after the said six weeks, knowing thereof, he shall be also exiled, and banished, and incur such forfeiture as afore is said; and that their procurators, notaries, executors, and summoners, have the pain, and forfeiture aforesaid. * * * *

Provided, nevertheless, that all they, to whom the pope of Rome, or his predecessors, have provided any archbishopric, bishopric, or other dignity, or other benefices of holy church, of the patronage of people of holy church, in respect of any voidance before the 29th day of January, the thirteenth year of the reign of our lord, king Richard, that now is, and thereof were in actual possession before the same 29th day, shall have and enjoy the said archbishoprics, bishoprics, dignities and other benefices peaceably, for their lives, notwithstanding the statutes and ordinances aforesaid. And if the king send by letter, or in other manner, to the court of Rome, at the entreaty of any person, or if any other send or sue to the same court, whereby any thing is done contrary to this statute, touching any archbishopric, bishopric, dignity, or other benefice of holy church, within the said realm, if he that maketh such motion or suit be a prelate of holy church, he shall pay to the king the value of his temporalities of one year; and if he be a temporal lord, he

shall pay to the king the value of his lands and possessions not moveable of one year; and if he be another person, of a more mean estate, he shall pay to the king the value of the benefice for which suit is made, and shall be imprisoned one year.... Provided always, that of no dignity or benefice, which was full the said 29th day of January, no man, because of any collation, gifts, reservation and provision, or other grace papal, not executed before the said 29th day, shall not sue thereof execution, upon the pains and forfeitures contained in this present statute

Cap. 3.—*Penalty for bringing, or executing, a summons or excommunication against any person, on the statute of provisors.*

Item, it is ordained, and established, that, if any man bring or send within the realm, or the king's power, any summons, sentence, or excommunication, against any person, of what condition that he be, for the cause of making motion, assent, or execution of the said statute of provisors, he shall be taken, arrested, and put in prison, and forfeit all his lands and tenements, goods and chattels, for ever, and incur the pain of life and member. And if any prelate make execution of such summons, sentences, or excommunications, that his temporalities be taken, and abide in the king's hands, till due redress and correction be thereof made. And if any person of less estate than a prelate, of what condition that he be, make such execution, he shall be taken, arrested, and put in prison, and have imprisonment, and make fine and ransom, by the discretion of the king's council.

No. IX.—*(Referred to at page* 152.*)*

Stat. 16 *Ric. II. cap.* 5.—*Premunire for purchasing of Bulls from Rome.*

Whereas the commons of the realm, in this present parliament, have shewed to our redoubted lord, the king, grievously complaining, that, whereas the said our lord, the king, and all his liege people, ought of right, and of old time were wont, to sue in the king's court, to recover their presentments to churches, prebends, and other benefices of holy church, to the which they had right to present, the cognizance of plea of which presentment belongeth only to the king's court, of the old right of his crown, used, and approved in the time of all his progenitors, kings of England; and when judgment shall be given in the same court, upon such a plea and presentment, the archbishops, bishops, and other spiritual persons, which have institution of such benefices within their jurisdiction, be bound, and have made execution of such judgments, by the king's commandments, of all the time aforesaid, without interruption (for another lay person cannot make such execution), and also be bound of right to make execution of many other of the king's

commandments, of which right the crown of England hath been peaceably seized, as well in the time of our said lord, the king that now is, as in the time of all his progenitors till this day; but now of late diverse processes be made by the bishop of Rome, and censures of excommunication upon certain bishops of England, because they have made execution of such commandments, to the open disherison of the said crown, and destruction of our said lord, the king, his law, and all his realm, if remedy be not provided: and also it is said, and a common clamour is made, that the said bishop of Rome hath ordained, and purposed to translate some prelates of the same realm, some out of the realm, and some from one bishopric into another, within the same realm, without the king's assent and knowledge, and without the assent of the prelates which so shall be translated, which prelates be much profitable, and necessary to our said lord, the king, and to all his realm; by which translations (if they should be suffered) the statutes of this realm should be defeated, and made void, and his said liege sages of his council, without his assent, and against his will, carried away, and gotten out of his realm, and the substance, and treasure of the realm shall be carried away, and so the realm destitute as well of counsel, as of substance, to the final destruction of the same realm: and so the crown of England, which hath been so free at all times, that it hath been in no earthly subjection, but immediately subject to God, in all things touching the regality of the same crown, and to none other, should be submitted to the pope, and the laws, and statutes of the realm by him defeated, and avoided at his will, in perpetual destruction of the sovereignty of the king, our lord, his crown, his regality, and of all his realm; which God defend.

And moreover, the commons aforesaid say, that the said things, so attempted, be clearly against the king's crown, and his regality, used and approved of, the time of all his progenitors: wherefore they, and all the liege commons of the same realm, will stand with our said lord, the king, and his said crown, and his regality, in the cases aforesaid, and in all other cases attempted against him, his crown, and his regality, in all points, to live, and to die. And, moreover, they pray the king, and him require, by way of justice, that he would examine all the lords in the parliament, as well spiritual, as temporal, severally, and all the states of the parliament, how they think of the cases aforesaid, which be so openly against the king's crown, and in derogation of his regality, and how they will stand in the same cases with our lord the king, in upholding the rights of the said crown, and regality. Whereupon, the lords temporal, so demanded, have answered, every one by himself, that the cases aforesaid be clearly in derogation of the king's crown, and of his

regality, as it is well known, and hath been of a long time known, and that they will be with the same crown, and regality, in these cases specially, and in all other cases which shall be attempted against the same crown, and regality, in all points with all their power. And, moreover, it was demanded of the lords spiritual, there being, and the procurators of others, being absent, their advice, and will, in all these cases; which lords, that is to say, the archbishops, bishops, and other prelates, being in the said parliament severally examined, making protestations that it is not their mind to deny, nor affirm, that the bishop of Rome may not excommunicate bishops, nor that he may make translation of prelates, after the law of holy church, answered, and said, that, if any executions of processes, made in the king's court (as before), be made by any, and censures of excommunication to be made against any bishops of England, or any other of the king's liege people, for that they have made execution of such commandments; and that, if any executions of such translations be made of any prelates of the same realm, which prelates be very profitable, and necessary to our said lord, the king, and to his said realm, or that the sage people of his council, without his assent, and against his will, be removed, and carried out of the realm, so that the substance and treasure of the realm may be consumed, that the same is against the king and his crown, as it is contained in the petition before named. And likewise the same procurators, every one by himself examined upon the said matters, have answered and said in the name, and for their lords, as the said bishops have said and answered; and that the said lords spiritual will, and ought to be with the king in these cases, in lawfully maintaining of his crown, and in all other cases touching his crown, and his regality, as they be bound by their liegeance. Whereupon our said lord, the king, by the assent aforesaid, and at the request of his said commons, hath ordained and established, that, if any purchase or pursue, or cause to be purchased, or pursued, in the court of Rome, or elsewhere, by any such translations, processes, and sentences of excommunications, bulls, instruments, or any other things whatsoever, which touch the king, against him, his crown, and his regality, or his realm, as is aforesaid, and they which bring within the realm, or them receive, or make thereof notification or any other execution whatsoever, within the same realm, or without, that they, their notaries, procurators, maintainers, abettors, fautors, and counsellors, shall be put out of the king's protection, and their lands, and tenements, goods, and chattels, forfeit to our lord the king; and that they be attached by their bodies, if they may be found, and brought before the king, and his council, there to answer to the cases aforesaid: or that process be made against them by *præmunire*.

facias, in manner as it is ordained in other statutes of provisors: and other which do sue in any court in derogation of the regality of our lord the king.

No. X.—*(Referred to at page 152.)*

A letter from Martin V. to John, duke of Bedford, complaining of the violence lately offered to the papal legate. Anno 1429.

[Fuller, Ch. Hist. 148].

[This letter will show in what manner the contest was still carried on, so late as the year 1429.—*T.*]

Martinus episcopus servus servorum Dei, dilecto filio nobili viro Johanni duci Bedford salutem et apostolicam benedictionem. Quamvis dudum in regno Angliæ jurisdictio Romanæ ecclesiæ, et libertas ecclesiastica fuerit oppressa rigore illius execrabilis statuti, quod omni divinæ et humanæ rationi contrarium est; tamen non fuit ad tantam violentiam prolapsum, ut in sedis apostolicæ nuntios, et legatos, manus temere mitterentur sicut novissime factum est, in personâ dilecti filii Johannis de Oisis, palatii apostolici causarum auditoris, et in præfato regno nuntii, et collectoris nostri, quem audivimus, ex hac solâ causâ, quòd literas apostolicas nostro nomine præsentabat, fuisse per aliquos de ipso regno carceribus mancipatum. Quæ injuria nobis, et apostolicæ sedi illata, animum nostrum affecit admiratione, turbatione, et molestiâ singulari. Miramur enim, stupescimus, et dolemus, quòd tam fœdum et turpe facinus in illo regno commissum sit contra sedem beati Petri, et nuntios ejus, presertim cum literæ illæ nostræ nil aliud quam salutem animarum, honorem regni, et per omnia paternas, et sanctas admonitiones continerent. Fuit enim semper, etiam apud gentiles, qui nullam tenerent veræ fidei rationem, inviolabile nomen nuntii, atque legati; etiamsi ab hostibus mitterentur, semper salvi; et hodie apud Saracenos et Turcas, a quibus tutò destinantur legationes, et literæ, etiamsi illis, ad quos deferuntur, molestæ sint, et injuriosæ. Et nuntius noster, vir humanus, et moderatus, et continuâ conversatione notissimus, in regno Angliæ, quod devotione, et cultu divino, se jactat omnes alias Christianas nationes superare, turpitur captus est, nihil impium, nec hostile deferens, sed literas salutares et justas. Sed revereantur aliquando illi, qui sic contumaciter et superbe ecclesiam Dei contemnunt, et sedis apostolicæ authoritatem, ne super istos eveniat justa punitio ex Christi judicio, qui eam instituit et fundavit. Caveant, ne tot cumulatis offensis Deum irritent ad ultionem, et tarditatem supplicii gravitate compensent. Non videbatur eis satis offendisse Deum, statuta condendo contra vicarium ejus, contra ecclesiam, et ecclesiæ caput, nisi, pertinaciter perseverantes in malo proposito, in nuntium apostolicum violentas manus injicerent? Quod non dubitamus tuæ

excellentiæ, quæ ecclesiæ et regni honorem diligit, displicere; et certi sumus, quòd, si fuisses in Angliâ, pro tuâ naturali prudentiâ, et pro fide, et devotione quam geris erga nos, et ecclesiam Dei, illos incurrere in hunc furorem nullatenus permisisses. Verùm cum non solum ipsis qui hoc fecerunt, sed toti regno, magna acciderit ignominia, et dietim, si perseverabit in errore, accessura sit major, generositatem tuam, in quâ valde confidimus, exhortamur, et affectuose rogamus, ut circa hæc provideas prout sapientiæ tuæ videbitur, honori nostro, et ecclesiæ, ac saluti regni convenire. Datum Romæ, apud SS. Apostolos, 6 calend. Junii, Pontif. nostri an. 12 (1429).

No. XI.—(*Referred to at page* 157.)

Stat. 2 *Henry IV. cap.* 15.—*Abridged.*

The catholic faith, and the holy church amongst all the kingdoms in the world, hath been most devoutly observed in England, and endowed, which hath not been troubled with heresy, and therefore none shall preach without the license of the diocesan of the same place: none shall preach, or write any book contrary to the catholic faith, or the determination of the holy church: none shall make any conventicles of such sects, and wicked doctrine, nor shall favour such preacher. Every ordinary may convent before him, and imprison any person suspected of heresy: an obstinate heretic shall be burned before the people.

No. XII.—(*Referred to at page* 172.)

The oath formerly taken by Bishops, &c., at the time of their consecration.

[Rymer, xiii. 256.]

Ego N. electus N. ab hac horâ in anteà, fidelis et obediens ero beato Petro, sanctæque apostolicæ Romanæ ecclesiæ, et domino nostro domino N. papæ, ac ejus successoribus canonicè intrantibus; non ero in consilio, consensu, tractatu, vel facto, ut vitam perdant, aut membrum, aut in eos violenter manus quomodolibet ingerantur, vel injuriæ aliquæ inferantur, quovis quæsito colore. Consilium verò quod mihi credituri sunt, per se, aut nuntios, seu literas, ad eorum damnum, me sciente, nemini pandam; papatum Romanum, et regalia sancti Petri adjutor eis ero ad retinendum et defendendum contra omnem hominem. Legatum apostolicæ sedis, in eundo et redeundo, honorifice tractabo, et in suis necessitatibus adjuvabo. Jura, honores, privilegia, et auctoritatem Romanæ ecclesiæ, domini nostri papæ, et successorum prædictorum conservare, defendere, augere, et promovere curabo; nec ero in consilio, in facto, seu in tractatu, in quibus contra ipsum dominum nostrum, vel eandem Romanam ecclesiam, aliqua sinistra vel præjudi-

cialia personarum, juris, honoris, statûs, et potestatis eorum machinentur : et si talia à quibuscumque tractari novero vel procurari, impediam hoc pro posse, et quantociùs potero commodè significabo eidem domino nostro, vel alteri, per quem ad ipsius notitiam pervenire possit. Regulas sanctorum patrum, decreta, ordinationes, dispositiones, reservationes, sententias, promissiones, et mandata apostolica totis viribus observabo, et faciam ab aliis observari: hæreticos, schismaticos, et rebelles domino nostro, vel successoribus prædictis, pro posse persequar et impugnabo; vocatus ad synodum veniam, nisi præpeditus fuero canonicâ præpeditione. Apostolorum limina, Romanâ curiâ existente citrà, singulis annis, ultrà verò montes, singulis bienniis, visitabo per me, aut per meum nuntium, nisi apostolicâ absolvar licentiâ. Possessiones verò ad mensam meam pertinentes non vendam, neque donabo, neque impignorabo, neque de novo infeudabo, vel aliquo modo alienabo, etiam cum consensu capituli ecclesiæ meæ, inconsulto Romano pontifice. Sic me Deus adjuvet, et hæc sancta Dei evangelia.

No. XIII.—*(Referred to at page* 172.*)*

The Bull, conferring the Title of Defender of the Faith on Henry VIII.

[Rymer, xiii. 756.]

Leo Episcopus, servus servorum Dei, charissimo in Christo filio, Henrico Angliæ regi, Fidei Defensori, salutem et apostolicam benedictionem. Ex supernæ dispositionis arbitrio, licet imparibus meritis, universalis ecclesiæ regimini præsidentes, ad hoc cordis nostri longè latèque diffundimus cogitatus, ut fides catholica, sine quâ nemo proficit ad salutem, continuum suscipiat incrementum; et ut ea, quæ pro cohibendis conatibus illam deprimere, aut pravis mendacibusque commentis pervertere et denigrare molientium, sanâ Christi fidelium, præsertim dignitate regali fulgentium, doctrinâ sunt disposita, continuis proficiant incrementis, partes nostri ministerii et operam impendimus efficaces. Et sicut alii Romani pontifices, prædecessores nostri, catholicos principes (prout rerum et temporum qualitas exigebat) specialibus favoribus prosequi consueverunt, illos præsertim, qui procellosis temporibus, et rabidâ schismaticorum et hæreticorum fervente perfidiâ, non solùm in fidei serenitate et devotione illibatâ sacrosanctæ Romanæ ecclesiæ immobiles perstiterunt, verùm etiam tanquam ipsius ecclesiæ legitimi filii, ac fortissimi athletæ, schismaticorum et hæreticorum insanis furoribus spiritualiter et temporaliter se opposuerunt; ita etiam nos majestatem tuam, propter excelsa et immortalia ejus erga nos et hanc sanctam sedem, in quâ, permissione divinâ, sedemus, opera et gesta, condignis et immortalibus præconiis et laudibus efferre desideramus, ac ea sibi concedere, propter quæ invigilare debeat à grege

Dominico lupos arcere, et putida membra, quæ mysticum Christi corpus inficiunt, ferro et materiali gladio abscindere, et nutantium corda fidelium in fidei soliditate confirmare.

Sanè cum nuper dilectus filius, Johannes Clerk, majestatis tuæ apud nos orator, in consistorio nostro, coràm venerabilibus fratribus nostris, sanctæ Romanæ ecclesiæ cardinalibus, et compluribus aliis Romanæ curiæ prælatis, librum, quem majestas tua, charitate, quæ omnia sedulò et nihil perperàm agit, fideique catholicæ zelo accensa, ac devotionis erga nos et hanc sanctam sedem fervore inflammata, contra errores diversorum hæreticorum, sæpiùs ab hac sanctâ sede damnatos, nuperque per Martinum Lutherum suscitatos et innovatos, tanquam nobile et salutare quoddam antidotum, composuit, nobis examinandum, et deinde auctoritate nostrâ approbandum, obtulisset, ac luculentâ oratione suâ exposuisset majestatem tuam paratam ac dispositam esse, ut, quemadmodum veris rationibus ac irrefragabilibus sacræ scripturæ et sanctorum patrum auctoritatibus notorios errores ejusdem Martini confutaverat, ita etiam omnes eos sequi et defensare præsumentes totius regni sui viribus et armis persequatur; nosque ejus libri admirabilem quandam et cælestis gratiæ rore conspersam doctrinam diligenter accurateque introspeximus, Omnipotenti Deo, a quo omne datum optimum et omne donum perfectum est, immensas gratias egimus, qui optimam et ad omne bonum inclinatam mentem tuam inspirare, eique tantam gratiam superne infundere dignatus fuit, ut ea scriberes quibus sanctam ejus fidem contra novum errorum damnatorum hujusmodi suscitatorem defenderes, ac reliquos reges et principes christianos tuo exemplo invitares, ut ipsi etiam orthodoxæ fidei et evangelicæ veritati, in periculum et discrimen adductæ, omni ope suâ adesse opportunèque favere vellent. Æquum autem esse censentes eos, qui pro fidei Christi hujusmodi defensione pios labores susceperunt, omni laude et honore afficere, volentesque non solum ea, quæ majestas tua contra eundem Martinum Lutherum absolutissimâ doctrinâ nec minori eloquentiâ scripsit, condignis laudibus extollere ac magnificare, auctoritateque nostrâ approbare et confirmare, sed etiam majestatem ipsam tali honore et titulo decorare, ut nostris ac perpetuis futuris temporibus Christi fideles omnes intelligant quàm gratum acceptumque nobis fuerit majestatis tuæ munus, hoc præsertim tempore nobis oblatum; Nos, qui Petri, quem Christus, in cœlum ascensurus, vicarium suum in terris reliquit, et cui curam gregis sui commisit, veri successores sumus, et in hac sanctâ sede, à quâ omnes dignitates ac tituli emanant, sedemus, habitâ super iis cum eisdem fratribus nostris maturâ deliberatione, de eorum unanimi consilio et assensu, majestati tuæ Titulum hunc, videlicet, FIDEI DEFENSOREM, donare decrevimus, prout te tali Titulo per præsentes insig-

nimus; mandantes omnibus Christi fidelibus ut majestatem tuam hoc Titulo nominent, et, cum ad eam scribent, post dictionem Regi adjungant Fidei Defensori.

Et profectò, hujus tituli excellentiâ et dignitate ac singularibus meritis tuis diligenter perpensis et consideratis, nullum neque dignius, neque majestati tuæ convenientius nomen excogitare potuissemus, quod quotiens audies aut leges, totiens propriæ virtutis optimique meriti tui recordaberis: nec hujusmodi titulo intumesces, vel in superbiam elevaberis, sed solitâ tuâ prudentiâ humilior, et in fide Christi ac devotione hujus sanctæ sedis, à qua exaltatus fueris, fortior et constantior evades, ac in Domino, bonorum omnium largitore, lætaberis perpetuum hoc et immortale gloriæ tuæ monumentum posteris tuis relinquere, illisque viam ostendere, ut, si tali titulo ipsi quoque insigniri optabunt, talia etiam opera efficere, præclaraque majestatis tuæ vestigia sequi studeant; quam, prout de nobis et dictâ sede optimè merita est, unà cum uxore et filiis, ac omnibus qui à te et ab illis nascentur, nostrâ benedictione, in nomine illius, à quo illam concedendi potestas nobis data est, largâ et liberali manu benedicentes, altissimum illum, qui dixit, "per me reges regnant et principes imperant, et in cujus manu corda sunt regum," rogamus et obsecramus, ut eam in suo sancto proposito confirmet, ejusque devotionem multiplicet, ac præclaris pro sanctâ fide gestis ita illustret, ac toti orbi terrarum conspicuam reddat, ut judicium, quod de ipsâ fecimus, eam tam insigni titulo decorantes, a nemine falsum aut vanum judicari possit; demùm mortalis hujus vitæ finito curriculo, sempiternæ illius gloriæ consortem atque participem reddat. Dat. Romæ apud S. Petrum, anno incarnationis Dominicæ millesimo quingentesimo vigesimo primo, quinto idus Octobris, pontificatûs nostri anno nono.

No. XIV.—(*Referred to at page* 180)

[The following letters, which are preserved in the Vatican, have been printed by Hearne, in his edition of Avesbury; by Osborne, in the third volume of the Harleian Miscellany, and by the editors of the Pamphleteer, vol. xxi. xxii. From their connexion with the subject, I venture to insert them here. Perhaps the reader will bear in mind, that, at the very moment when Henry was writing the eleventh, twelfth, and thirteenth, to his "awn darling," Anne, he was actually shrinking from the terrors of a surrounding pestilence: that, according to the account left us by the bishop of Bayonne, he was devoting himself apparently to the society of his queen, was accompanying her in all her private exercises of religion, was confessing himself every day, and was receiving the sacrament every Sunday and festival! (Apud le Grand,

iii. 137, 149, 152). Deceived by these appearances, the bishop at once concluded, that the absence of Anne from court, at this time, would cure the infatuation of her lover: could he have seen the monarch's secret correspondence, he would scarcely have indulged the anticipation. "Je suis mauvais devin," says he afterwards; "et pour vous dire ma faintaisie, je croy que le roy en est si avant, qu'aultre que Dieu ne l'en scauroit oster."—Ibid. 164.

The dates of these letters have been the subject of considerable controversy. What Osborne, however, but imperfectly attempted, Dr. Lingard has satisfactorily accomplished. He has established the years in which they were written; and, in all the more important instances, has been able to point out the period of the year, to which they belong (Vindication, 104, note). It is in accordance with this chronology, that I have here arranged them.—*T.*]

Henry VIII. to Anne Boleyn.—1527.

Ma mastres et amye, moy et mon cœur s'en remetent en vos mains, vous suppliant les avoir pour recommander à votre bonne grace, et que par absens votre affection ne leur soit diminue; car pur augmanter leur peine ce seroit grande pitiè, car l'absence leur fait asses, et plus que jamais que je n'eusse pensé, en nous faisant rementevoir un point d'astronomie, qui est telle; tant plus loing que les Mores sont, tant plus éloigne est le soleil, et non obstant plus fervant: aussi fait il de nostre amour; car, par absence, nous sommes éloignées, et neanmoins elle garde sa ferveur, au moins de notre costé, ayant en espoire la pareille du votre. Vous assurant, que, de ma part, l'annuye d'absence déjà m'est trop grande; et quant je pense à l'augmentation d'icelleuy, que per force faut que je souffre, il m'est presque intollerable, si n'estoit la ferme espoire, que j'aye de votre indissoluble affection vers moy: et pur le vous rementevoir alcune fois cela, et voyant que personellement je ne puis estre en votre presence, chose la plus approchant à cella, qui m'est possible au present, je vous envoye, c'est à dire, ma picture, mise en braselettes à toute la device que déjà saves, me souhaittant en leur place, quant il vous plairoit. C'est de la main de

Votre serviteur et ami,
H. R.

The same to the same.—1527.

A ma Maistresse.—Pour ce qui me semble le temp estre bein longe, depuis avoire ouye de votre bonne santè et de vous, la grande affection que j'ay vers vous m'a persuadé de vous envoyer ce porture, pour estre mieux assertené de votre santé et volenté; et pour ce que, depuis

mon partement de avecque vous, on m'a averty que l'opinion, en quoy je vous laissoye, est de toute asture changé, et que vous vouliez venir en cour, ni avec madam votre mere, ni aultrement aussi; laquelle reporte estant vraye, je ne sauroy asses emervelliere, veu que depuis je m'assure de vous de n'avoir jamais fait faute; et il me semble bien petit retribution pour le grand amour, que je vous porte, de me eloigner et la personne et le personage de la fame du mond que plus j'estime: et si vous m'aymes de si bonne affectionne, comme j'espere, je suis sure que la eloignement de notre deux personnes vous seroyet un peu envuyeuse; toute fois qu'il n'appartient pas tant à la maitresse, comme au serviteur. Panses bien, ma mestresse, que l'absence de vous fort me grefe; esperant qu'il n'est pas votre volonté, que ainsi ce soit; mais si je entendoy pur verité, que volenterement vous la desiriez, je non pouis mieux faire, si non plaindre ma mauvaise fortune, en rebatant peu à peu ma grand folie: et ainsi, à fault de temps, fay fin de ma rude lettre, suppliant de donner foy à ce porteur, à ce qu'il vous dira de ma part. Escrit de la main du tout votre serviteur.

The same to the same.—1527.

En debatant da per moy le contenu de vos lettres, me suis mis en grande agonie, non shachant commant les entendre, ou à mon desaventage, comme en des aucunes autres je les entende, vous suppliant de bien bon cœur me vouloire certifiere appresent votre intention entiere touchant l'amour entre nous deux; car necessité me contraint de pourchaser cette responce, ayant este plus q'ung anné attaynte du dart d'amours, non estant assuré de faliere, ou trouver place en votre ceur et affection. Certain le q'uel dernier point m'en a gardé, depuis peu temps, en sa, de vous point nommer ma mestres, avec ce, que si vous ne me aymes d'autre sorte, que d'amour commune, cest nome ne vous est point appropriée: car il denote ung singularis, le quel est bien longue de la commune. Mais si vous plait de faire l'office d'une vraye loyale mestres et amye, et de vous donner corps et cœur à moy, qui veus estre, et a esté, votre tres loyal serviteur (si par rigeur ne me defendes), je vous promes, que non seulement le nom vous sera deu, mais aussi vous prendray pour ma mestresse, en rebuttant tretantes aultres aupres de vous hors de pensé et d'affection, et de vous seulement servire. Vous suppliant me faire entiere responce de cette ma rude lettre, à quoy et en quoy me puis fier: et si ne vous plait de me fair response per escrite, assuré moy quelque lieu là, ou je la pourroy avoir de bouche, et je m'y trouverray de bien bon cœur. Non plus, de peur de vous enuyer. Escrite de la main de celluy, qui volontiers demureroit votre H. R.

The same to the same.—1527.

Neanmoins qu'il n'appartiene pas à ung gentile homme pur prendre sa dame au lieu de servante, toute fois en suivant vos desires, volontiers le vous outroyeroy, si per cela vous puisse trouver moins ingrate en la place per vos choysie, que avez esté en la place par moy donné, en vous merciant tres cordialement, si vous plete encore avoire quelque sovenance de moy. 6. n. R. 1. De R. O. M. V. C. Z. HENRY R.

The same to the same.—1527.

De l'estrene si belle, que rien plus (notant le toute) je vous remercy tres cordiallement, non seulement pour le beau diamonde, et navire en quoy la seullete damoyselle et tormenté, mais principallement pour la belle interpretation, et trop humble submission, per votre benignité en ceste case usé: bien pensant qu'à meriter cela per occasion me seroit fort difficile, si me n'estoit en aide votre grande humanity et faveur, pour la quelle j'ay cherché, cherche, et chercheray par toutes bontés amoy possible d'y demurer, en quelle mon espoir a mis son immuable intention, qui dit, *aut illic aut nullibi.*

Les demonstrances de votre affection sont telles, les belles motts des lettres si cordialement couché, qui m'obligent à tout jamais vrayment de vous honorer, aymer, et servir, vous suppliant le vouloir continuer en ce mesme ferme et constant propos, vous assurant, que, de ma part, je l'augmenteray plustot que la fair reciprocke, si loyauté du ceur, desire de vous complaire, vous sans autre racine en ceur le peut avancer: vous priant aussi, que, si aucunement je vous aye per cy devant offencé, que vous me donnes la mesme absolution que vous demandes, vous asseurant, que d'oranevant à vous seule mon ceur sera dedié, desirant fort que le corps ainsi pouvoit, comme Dieu le peut fair, si luy plait, à qui je supplie une fois le jeur pour ce fair, esperant que à la long ma priere sera ouye, desirant le temps bref, pansant le long jusques au reveu d'entre nous deux. Escrite de la main du secretair, qui, en ceur, corps, et volonté, est

Votre loyal et plus assuré serviture,

H. *autre* A.B. *ne cherce* R.

The same to the same.—Between June 29 and Sept. 13, 1527.

The cause of my writing at this time, good sweet heart, is wonly to understand of your good health and prosperity, whereof to know, I would be as glad as in manner mine awn; praying God (that and it be his pleasure) to send us shortly togyder: for I promise you I long for it; howbeit, trust it shall not be long to. And seeing my darling is ab-

sent, I can no less do than to send her some flesh, representing my name, which is hart's flesh for Henry, prognosticating, that hereafter, God willing, you must enjoy some of mine, which, if he pleased, I wold were now. As touching your sister's matter, I have caused Water Welsh to write to my lord mine mind therein; whereby I trust, that Eve shall not have power to deceive Adam: for surely, whatsoever is said cannot so stand with his honour, but that he must needs take his natural daughter now in her extream necessity. No more to you at this time, my awn darling, but that with a wish I would we were togyder an evening. With the hand of yours, H. R.

The same to the same.—Between June 29 and Sept. 13, 1527.

Toute fois, ma mestres, qu'il ne vous pleu de souvenir de la promesse, que vous me fites, quant je estoy dernierement vers vous, c'est adire, de savoire de vos bonnes nouvelles, et de savoire responce de ma dernier lettre; neanmoins il me semble, qu'il appartient au vray serviteur (voyant que autrement il ne peut rien savoir) d'envoyere savoire la salute de sa metresse; et pour me acquitter de l'office du vray serviteur, je vous envoye cette lettre, vous suppliant, de me avertir de votre prosperité; la quelle je prie à Dieu qu'il soit aussi long, comme je voudray la mienne: et, pour vous faire en corps plus sovant souvenire de moy, je vous envoy par ce porteur ung boucke, tué hier soire bien tarde de ma maine, esperant que quant vous en mangerez, il vous soviendra du chasseur. Et ainsi, à faute de espace, je feray fin à ma lettre, escrite de la main de votre serviteur, qui bien souvent vous souhaite au lieu de votre frere.

H. R.

The same to the same.—1527.

Approchant du temps, qui m'a si longuement duré, me rejoyce tante, que me semble presque deja venue; neanmoins l'antiere accomplissement ne se perfera, tant que les deux personnes se assemblent; la quelle assemble est plus desire en mon endroit, que nulle chose mondain. Car que rejoyement peut estre si grand en ce monde, comme d'avoir la compagnie de celle, qui est la plus chere aymée, sachant aussi quelle fait la perreylle de son costé; la pense du quel me fait grand plaisir. Jugges adonque que fera le personage, l'absence du quel m'a fait plus grand mal au ceur, que ni langue ni escriture peuvent exprimer, et que jamais autre chose, excepté cela, peut remedier; vous suppliant, ma mestress, de dire a Monsr. votre pere de ma part, que je luy prie de avancer de deuxjours le temps assiné, qui peut estre en court devant le vielle termes, ou, au moins, sur le jour preficse: car autrement, je penseray qu'il ne feroit point le toure des amoureus, qu'il disoit, ni accordant à mon ex-

pectation. Non plus d'asteure, de faute de temps, esperant bien tote, que de bouche vous diray le reste des peinnes per moy an votre absence sustenues. Escrite de la main du secretere, qui se souhaite d'asteure privement apres de vous, et qui est, et qui à jamais sera

Votre loyal et plus assuré serviteure

H. autre ne cherche R.

The same to the same.—1527.

Darling, I heartily recommend me to you, ascertaining you, that I am not a little perplexed with such things as your brother shall, on my part declare unto you, to whom I pray you give full credence; for it were too long to write. In my last letters, I writ to you, that I trusted shortly to see you, which is better known at London, then with any that is abought me, whereof I not a little marvel: but lake of discreet handling must needs be the cause thereof. No more to you, at this time, but that I trust shortly our meeting shall not depend upon other men's light handlings, but upon your own. Writtne with the hand of him that longeth to be yours, H. R.

The same to the same.—The end of 1527, or Jan. 1528.

Mine awn sweet heart, this shall be to advertise you of the great ellengeness that I find here, since your departing: for I ensure you, me thinketh the time longer since your departing now last, than I was wont to do a whole fortnight. I think your kindness and my fervence of love causeth it; for otherwise I would not thought it possible, that for so little a while it should have grieved me; but now that I am coming towards you, me thinketh my pains been half released; and also I am right well comforted, in so much that my book maketh substantially for my matter: in writting whereof I have spent above iv hours this day, which caused me now write the shorter letter to you, at this time, because of some pain in my head; wishing myself (specially an evening) in my sweet heart's arms, whose pretty dukkyes I trust shortly to cusse. Writtne with the hand of him that was, is, and shalbe yours by his will,

H. R.

The same to the same.—June, 1528.

L'enuye, que je avoye du doubte de votre santé me trobla egarra bocoup, et n'eusse esté gere quieté, sans avoir sue la certenyte; mais puisque n'ancors n'aves rien sentu, j'espere, et me biens pour assuré, il se passera de vous, comme je espere, qu'il est de nous. Car nous estans

à Waltham, deux ushyres, deux verles de chambre, votre frere, master Tresorere ont tombé malads, et sont d'asteure de tout sains; et depuis nous nous somms reboutes en votre mesons de Hondson, là ou nous nous sommes bien trouvez, sans aucune malade pour steure, Dieu soit loué: et je pense, que si vous vous voulez retirer du lieu du Surye, come nous fimes, vous le passeres sans danger. Et aussi ung autre chose vous peut comforter; car, à la virité, comme il disit, peu ou nulle fame ont este malade, et que encore plus est, null de notre cort, et peu ailieurs en meurit: pour quoy je vous supply, ma entiere aymee, de non avoir point de peure, ne de nostre absence vous trop anuyere. Car ou que je soy, votre suis: et non obstante, il faut alcune fois à telles fortunes obeyer; car qui contre fortune veut luter en telle endroit, en bien sovent tant plus eloigne; par quoy recomfortes vous, et soyes hardy, et vuides le mal, tant que vous poures: et *j'espere bien tote de vous fair chanter le renvoy.* Non plus pour asteure, de faute du temps, si non que je vous souhait entre mes bras, pour vous oter ung peu de vos deresonable penses. Escrite de la main de celly, qui est et toujours sera votre

ma H. R. aimable.

The same to the same.—June, 1528.

Since your last letters, mine awn darling, Walter Welsh, master Brown, John Care, Yrion of Brearton, John Cork the potecary, be fallen of the swett in this house, and, thanked be God, all well recovered, so that, as yet, the plague is not fully ceased here; but I trust shortly it shall. By the mercy of God, the rest of us yet be well, and I trust shall pass it, ather not to have it, or, at the least, as easily as the rest have done. As touching the matter of Wilton, my lord cardinal hath had the nuns before him, and examined them, Mr. Bell being present; which hath certified me, that for a truth that she hath confessed herself (which we would have had abbesse) to have had two children, by two sundry priests; and furder, since hath been kept by a servant of the lord Broke that was, and that not long ago: wherefore, I would not, for all the gold in the world, clog your conscience nor mine, to make her ruler of a house, which is of so ungudly a demeanor, nor I trust you would not that, neither for brother nor sister, I should so destain mine honor or conscience. And, as touching the prioress, or dame Eleanor's eldest sister, though there is not any evident case proved against them, and that the prioress is so old, that, of many years, she could not be as she was named, yet, notwithstanding, to do you pleasure, I have done that neither of them shall have it, but that some other good and well-disposed woman shall have it, whereby the house shall be the better reformed (whereof I ensure you it had much

need), and God much the better served.[1] As touching abode at Hever, do therein as best shall like you; for you know best what air doth best with you: but I would it were come thereto, if it pleased God, that neither of us need care for that; for I ensure you I think it long. Suche is fallen sick of the swett; and therefore I send you this bearer, because I think you long to hear tidings from us, as we do in likewise from you. Writin with the hand de votre seul, H. R.

The same to the same.—July, 1528.

Nouvelles me sont en nuyt soudenement venues les plus deplesantes, qui me pourroient avenire: car pour trois causes touchant icelles faut il que je lamente; la premiere, pour entendre la maladie de ma mestres, la quelle je estime plus que tout le monde, la santé du quelle je desire autant comme la mienne, et vouloye volontiers porter le moyetie du votre, pour vous avoir guery; la seconde, pour la crainte, que j'ay, d'estre encore plus longement pressé de mon ennemy absens, qui jusques icy m'a fait toute l'annuye à luy possible, et, quant encore puis juger et deliberer de pys fair, priant Dieu qui m'en defasse de si importune rebelle; la troisieme, pour ce que le medecin, en qui plus me fie, est absens asteure, quant il me pourroit faire plus grand plaisir; car j'esperoroy per luy et ses moyens de obtenir une de mes principalles joyes en ce monde, c'est à dire, ma mestres guerie. Neanmoyns, en faute de luy, je vous envoye le second et le tout, priant Dieu, que bien tot il vous peut rendre saine; et adunques je l'aymeray plus que jamais, vous priant estre gouverne per ses avises, touchant votre maladie; en quoy faisant, j'espere bien tot vous revoire, qui me sera plus grand cordial, que tout les pieres pretieuses du monde. Escrite du secretair qui est, et à jamais sera Votre loyal et plus assuré serviteur,

H. R.

The same to the same.—September, 1528.

The reasonable request of your last letter, with the pleasure I also take to know them true, cause me to send you now this news. The legat, which we most desire, arrived at Paris, on Sunday or Munday last past, so that I trust, by the next Munday, to hear of his arrival at Calais, and then I trust, within a while after, to enjoy that, which I have so long longed for, to God's pleasure and our both comforts. No

[1] In a note, Hearne remarks, that, "notwithstanding what is said here to the contrary, the ladies before mentioned seem to have been persons of *eminent virtue.*"—Avesbury, Append. p. 358.

more to you, at this present, mine awn darling, for lack of time, but that I would you were in mine arms, or I in yours; for I think it long since I kyst you. Writtne after the killing of an hart, at 11 of the clock, minding, with God's grace, to morrow mightily timely to kill another. By the hand of him, which I trust shortly shall be yours,

HENRY R.

The same to the same.—Between September 1, and December 1, 1528.

Darling, these shall be only to advertise you, that this bearer and his fellow be dispatched, with as many things to compass our matter, and to bring it to pass, as our witts colde imagine or devise, which brought to pass, as I trust by their diligence it shall be shortly, you and I shall have our desired end, which should be more to my heart's ease, and more quietness to my mind, than any other thing in this world, as, with God's grace, shortly, I trust, shall be proved, but not so soon as I would it were. Yet I will ensure you, there shall be no time lost, that may be wone; and further cannot be done, for *ultra posse non est esse.* Keep him not too long with you, but desire him, for your sake, to make the more speed; for the sooner we shall have word from him, the sooner shall our matter come to pass. And thus, upon trust of your short repair to London, I make an end of my letter, mine awn sweet heart. Writtne with the hand of him, which desireth as much to be yours, as you do to have him. H. R.

The same to the same.—Between Sep. 1, and Dec. 1, 1528.

Darling, though I have skant leisure, yet, remembring my promise, I thought it convenient to certifie you brevely in what case our affaires stand. As touching a lodging for you, we have gotten won, by my lord cardinal's means, the like whereof could not have been found here about, for all causes, as this bearer shall more shew you. As touching our other affairs, I ensure you there can be no more done, nor more diligence used, norall manner of dangers better both foreseen and provided for; so that I trust it shall be hereafter to both our comforts; the speciallities whereof were both too long to be written, and hardly by messenger to be declared: wherefore, till you repair hyder, I keep something in store, trusting it shall not be long to. For I have caused my lord, your father, to make his provisions with speed: and thus for lake of time, darling, I make an end of my letter, written with the hand of him, which I would were yours. H. R.

The same to the same.—In October, or November, 1528.

To inform you what joy it is to me to understand of your conformableness to reason, and of the suppressing of your inutile and vain

thoughts and fantasies with the bridle of reason, I ensure you all the good in this world could not contrepasse for my satisfaction the knowledge and certainty thereof: wherefore, good sweet heart, continue the same, not only in this, but in all your doings hereafter; for thereby shall come both to you and me the greatest quietness, that may be in this world. The cause why this bearer tarryeth so long is, the business, that I have had to dress up geer for you, which I trust, ere long, to see you occupie; and then I trust to occupye yours, which shall be recompence enough to me for all my pains and labors. The unfeigned sickness of this well willing legate doth somewhat retard his access to your person; but I trust verily, when God shall send him health, he will with diligence recompense his demurr; for I know well where he hath said (lamenting the saying and brute, that he shall be imperial), that it shall be well known, in this matter, that he is not imperial. And this, for lake of time, farewell. Writtne with the hand, which fain would be yours, and so is the heart. H. R.

No. XV.—(*Referred to at page* 183.)

Bull of Dispensation, permitting Henry to contract another marriage, if that with Catherine were annulled.

[Herbert, 279.]

Clemens episcopus, servus servorum Dei, charissimo in Christo filio nostro, Henrico Angliæ regi illustri, fidei defensori, salutem, et apostolicam benedictionem. Exponi nobis nuper fecisti, quòd aliàs tu et dilecta in Christo filia Catharina, relicta quondam Arthuri fratris tui germani, non ignorantes vos primo affinitatis gradu invicem fore conjunctos, matrimonium per verba aliàs legitime de presenti, nullâ saltem canonicâ, seu validâ dispensatione desuper obtentâ, quamvis de facto, contraxistis, illudque carnali copulâ consummastis, ac prolem ex hujusmodi matrimonio suscepistis, excommunicationis sententiam incurrendo: Et cum majestas tua in hujusmodi matrimonio absque peccato remanere nequeat; et, ne diutius in hujusmodi peccato, et excommunicationis sententiâ remaneat, desideret ab hujusmodi excommunicationis sententiâ a judice ecclesiastico competente absolutionis beneficium obtinere, ac matrimonium ipsum nullum, et invalidum fuisse, tibique licere cum quacunque aliâ muliere (alio non obstante canone) matrimonium contrahere, declarari, et, in eventum declarationis nullitatis matrimonii hujusmodi, tecum dispensari, ut cum quacunque aliâ muliere, tametsi illa talis sit, quæ aliàs cum alio matrimonium contraxerit, dummodo illud carnali copulâ non consummaverit, etiamsi tibi aliàs secundo vel remotiori consanguinitatis, aut primo affinitatis gradu, ex quocunque licito, seu illicito coitu, con-

juncta (dummodo relicta dicti fratris tui non fuerit) ac etiamsi cognatione spirituali, vel legali, tibi conjuncta extiterit, et impedimentum publicæ honestatis justitiæ subsistat, matrimonium licite contrahere, et in illo libere remanere, et ex eo prolem legitimam suscipere possis. Quare pro parte tui, asserentis ex antiquis chronicis regni constare, in ipso regno quamplurima gravissima bella sæpe exorta, et christianam pacem, et concordiam violatam fuisse, propter impios homines, suâ detestandâ regnandi et dominandi libidine excitatos, confingentes ex justis, et legitimis quorundam progenitorum, et antecessorum tuorum, Angliæ regum, nuptiis procreatos, illegitimos fore propter aliquod consanguinitatis, vel affinitatis confictum impedimentum, et propterea inhabiles esse ad regni successionem, indeque miserandam principum, ac procerum, et populorum subditorum stragem sequutam fuisse, nobis fuit humiliter supplicatum, ut regni tui tuorumque subditorum tranquillitati, et paci imprimis consulere, et tantis malis obviare, ac aliàs in præmissis opportuna remedia adhibere, de benignitate apostolicâ dignaremur. Nos, qui omnium regum, præsertim majestatis tuæ, ob ejus quamplurima immensa in nos, et hanc sanctam sedem, in quâ permissione divinâ sedemus, collata beneficia, dum ab iniquissimis pestilentissimorum hominum conatibus, qui eam partim viribus, et sceleratâ audacia, partim perversâ doctrinâ labefactare moliebantur, strenuissime cum viribus, et gladio, tum calamo, et eruditione tuâ vindicare indies non cessat, petitiones (presertim salutem animarum concernentes) quantum cum Deo possumus, ad exauditionis gratiam libenter admittimus, eorumque honestis votis favorabiliter annuimus, ex præmissis, et nonnullis aliis causis nobis notis, hujusmodi supplicationibus inclinati, tecum, ut, si contingat matrimonium, cum præfatâ Catharinâ aliàs contractum, nullum fuisse, et esse, declarari, teque ab illius vinculo legitime absolvi, cum quacunque muliere, ipsaque mulier tecum, dummodo a te propter hoc rapta non fuerit, etiamsi ipsa mulier talis sit, quæ prius cum alio matrimonium contraxerit, dummodo illud carnali copulâ non fuerit consummatum, etiamsi illa tibi aliàs secundo, aut remotiori consanguinitatis, aut primo affinitatis gradu, etiam ex quocunque licito, vel illicito coitu proveniente, conjuncta existat (dummodo relicta fratris tui non fuerit, ut præfertur), etiamsi cognationis spiritualis, aut legalis, et publicæ honestatis justitiæ impedimentum subsistat, matrimonium licite contrahere, et, postquam contractum fuerit, in eo sic contracto, etiamsi illud inter te, et ipsam mulierem, jam de facto publice vel clandestine contractum, et carnali copulâ consummatum fuerit, licite remanere valeatis, authoritate apostolicâ, et ex cert nostrâ scientiâ, et de apostolicæ potestatis plentitudine, tenore presentium dispensamus, prolem inde forsan susceptam, et suscipiendam legitimam fore decernentes: non obstantibus prohibitionibus juris divini, ac constitu-

tionibus, et ordinationibus aliis quibuscunque, in contrarium editis, quibus (in quantum apostolica authoritas se extendit), illis aliàs in suo robore permansuris, quoad hoc, specialiter et expresse derogamus: districte inhibentes, et, in virtute sanctæ obedientiæ, expresse mandantes, sub interminationibus judicii divini, ac sub pœnâ anathematis, aliisque ecclesiasticis sententiis, censuris, et pœnis, quas ex nunc, prout ex tunc, et è converso, ferimus, et promulgamus, in his scriptis, ne quisquam inposterum ullum impedimentum præcontractûs matrimonialis non consummati, consanguinitatis in secundo, aut ulteriori gradu, affinitatis in primo, ut præfertur, cognationis spiritualis, aut legalis, seu justitiæ publicæ honestatis impediment. prædict. adversus liberos tuos, quos ex quocunque matrimonio, vigore presentium contrahendo, Dei benignitate susceperis, palam vel occulte, in judicio, vel extra illud, allegare, proponere, aut objicere, seu verbo, vel facto diffamare præsumat, aut quocunque modo attentet. Nulli ergo omnino hominum liceat hanc paginam nostræ dispensationis, decreti, derogationis, inhibitionis, et mandati infringere, vel ei ausu temerario contraire. Si quis autem hoc attentare præsumpserit, indignationem omnipotentis Dei, ac beatorum Petri et Pauli, apostolorum ejus, se noverit incursurum. Datum in civitate nostra Urbe Veteri, anno incarnationis Dominicæ millesimo quingentesimo vicesimo septimo; decimo sexto calend. Januarii, pontificatûs nostri anno quinto.

No. XVI.—(*Referred to at page* 184.)

Bulla Commissionis ad Cognoscendum in causâ matrimoniali inter Regem, et Catherinam Reginam.

[Rymer, xiv. 237, 238.]

Clemens episcopus, servus servorum Dei, dilecto filio Thomæ, tituli sanctæ Ceciliæ presbytero cardinali, Eboracensi nuncupato, in regno Angliæ nostro et apostolicæ sedis legato, salutem et apostolicam benedictionem.

Sanè ad aures nostras, ex plurimorum fide dignorum relatione, frequenter perlatum est de validitate illius matrimonii, quod charissimus in Christo filius noster, Henricus Angliæ rex illustris, fidei defensor, et dominus Hiberniæ, cum charissimâ in Christo filiâ nostrâ Catherinâ reginâ, sedis apostolicæ dispensatione prætensâ, contraxisse et consummasse dignoscitur, subortam nuper in partibus illis quæstionem, quæ, licet in publicum ecclesiæ judicium deducta hactenus non fuerit, causæ tamen tam magni gravisque monenti exitus (videlicet, quem justitia et æquitas dederit) animos istic omnium sic habet suspensos, ut celerem ac maturam definitionem requirat non sine maximo discrimine protelandam.

Cum itaque nos, quos ad justitiam in judicio et veritate omnibus ex æquo subministrandum servum servorum Deus constituit, facti veritatem per nos ipsos inquirere, ac causam hanc examinare non valemus; considerantes præterea quòd factum, ex quo jus oritur, illic certius quam hic, tum etiam citius, expeditiusque cognosci poterit; cupientesque, præsertim in regno illo, sedi apostolicæ semper devotissimo, omnem dissentionum materiam extingui, et dulcissimum illum pacis amorisque intestinum concentum, felicissimamque charitatis harmoniam multos jam annos constantem, retineri, ac imposterum conservari, dictamque proinde super præfato matrimonio causam in judicio justitiâ et veritate decidi, certumque firmum validum et maturum (quod maxime expedit) finem sortiri, circumspectioni tuæ, adjuncto tibi venerabili fratre nostro archiepiscopo Cantuariensi, totius Angliæ primate, et apostolicæ sedis legato nato, seu alio quocumque illius regni episcopo, ad audiendum omnia et singula ea quæ dicti matrimonii vires, dispensationisve apostolicæ cujuscunque coram vobis producendæ aut exhibendæ validitatem aut invaliditatem contingat, deque et super omnibus illis ac aliis quibuscunque materiis, allegationibus, et causis, dictum matrimonium aut dispensationem concernentibus, seu tangentibus, cognoscendum; necnon in causâ dicti matrimonii, et validitatis dispensationis, vocatis partibus, summarie et de plano, sine strepitu et figurâ judicii, procedendum; dispensationes quascunque apostolicas, prout illas validas, efficaces, et sufficientes, invalidasve, inefficaces, minus sufficientes, surreptitias, aut obreptitias, aut alio quocunque modo enervatas inveneris, tales illas esse et haberi deberi pronuntiandum et declarandum, dictumque matrimonium similiter, si ab alterutrâ parte petatur, prout animo conscientiæque tuæ juris ratio persuaserit, validum justum et legitimum ac firmum esse, aut è contra invalidum injustum et illegitimum nullumque fuisse et esse, pro valido justo legitimo et firmo, aut è contra invalido injusto et illegitimo nulloque, haberi deberi definiendum sententiandum et decernendum, ac, in eventum improbatæ dispensationis, et declarationis nullitatis matrimonii, summarie et de plano, sine strepitu et figurâ judicii, ut præfertur, sententiam divortii judicialiter proferendum; denique tam Henrico regi quam Catharinæ reginæ præfatis ad alia vota commigrandi licentiam in Domino et facultatem tribuendum, tibi, citra omnem personæ aut jurisdictionis gradum, omni recusatione et appellatione remotis, vices et omnem auctoritatem nostram committimus et demandamus, teque ad ea omnia, quæ in hac commissione continentur duntaxat, exequenda, expedienda, ac plenæ finalique executioni demandanda vicegerentem nostrum etiam ex certâ nostrâ scientiâ creamus et deputamus, ita ut, in præmissis, quod nos

auctoritate et potestate nostrâ facere possemus, id etiam tu facere possis, tibi quoque tam prolem, ex primo matrimonio susceptam, si id ita expedire visum fuerit, quam ex secundo matrimonio suscipiendam, legitimam decernendi pronunciandi et promulgandi, legitimitatem etiam utriusque prolis, censuris et pœnis ecclesiasticis quibuscunque, per modum decreti aut sanctionis perpetuæ, muniendi et vallandi, omnibus validioribus et efficacioribus modis et formis quæ de jure concipi et excogitari poterint, ex certâ nostrâ scientiâ, auctoritate apostolicâ tenore præsentium potestatem pariter et auctoritatem concedimus; nonobstantibus conciliis generalibus, apostolicis constitutionibus, et ordinationibus editis cæterisque contrariis quibuscunque.

Dat. in urbe veteri anno incarnationis Dominicæ millesimo quingentisimo vigesimo octavo, idibus Aprilis, pontificatûs nostri anno quinto.

B. Motta.

Sub Plumbeo sigillo pendente à filo Canabeo.

No. XVII.—(*Referred to at page* 184.)

Wolsey to the Pope. Feb. 10, 1528.

[Vitellius, B. x. 78.]

Beatissime pater, post humillimam commendationem, et sanctissimorum pedum oscula, doleo atque gravissime excrucior, quòd ea quæ tantâ solicitudine, literis et nuntiis apud beatitudinem vestram ago, nequeam, ut unice et rerum omnium maxime vellem, prius tractare, hoc est, negotium potentissimi domini mei regis, negotium inquam rectissimum, honestissimum, ac sanctissimum, in quo procurando non aliter me interpono, quàm in ejus regiæ majestatis salute tuendâ, in hoc regno conservando, in publicâ tranquillitate fovendâ, in apostolicâ authoritate, in meâ denique vitâ et animâ protegendâ debeo. Beatissime pater, ad vestræ sanctitatis genua provolutus, obsecro et obtestor, ut, si me christianum virum, si bonum cardinalem, si sacrosancto isto senatu dignum, si apostolicæ sedis membrum non stupidum et inutile, si recti justitiæque cultorem, si fidelem creaturam suam, si demum æternæ salutis cupidum me existimet, nunc velit mei consilii et intercessionis rationem habere, et pientissimis hujus regis precibus benigne prompteque adnuere, quas nisi rectas sanctas ac justas esse scirem, omne prius supplicii genus ultrò subirem, quàm eas promoverem; pro hisque ego vitam meam et animam spondeo. Alioquin vereor (quod tamen nequeo tacere) ne regia majestas, humano divinoque jure (quod habet ex omni christianitate suis his actionibus adjunctum) freta, postquam viderit sedis apostolicæ gratiam, et Christi in terris vicarii clementiam desperatam, Cæsaris intuitu, in cujus manu neutiquam est tam sanctos conatus reprimere, ea

tunc moliatur, ea suæ causæ perquirat remedia, quæ et non solum huic regno, sed etiam aliis christianis principibus, occasionem subministrarent sedis apostolicæ auctoritatem et jurisdictionem imminuendi et vilipendendi, non absque christianæ reipublicæ perturbatione: quibus malis potest vestra sanctitas suâ auctoritate et prudentiâ mederi. Hæc loquor ut christianus, et ut devotissimum istius sedis membrum sincere suadeo. Non affectus, non principis amor, non servitutis vinculum me impellit, sed solâ rectitudine ad id adducor. Cæterùm animi solicitudo non sinit plura exprimere. Vestra sanctitas, in tam justo regis voto adnuendo, sic ejus majestatis animum sibi devinciet et conservabit, ut non solum ipse et ego, sed omnes ejus subditi sint, ad omnem occasionem, opes vires et sanguinem, in sanctitatis vestræ et apostolicæ sedis beneficium, libentissime profusuri. Mitto ad beatitudinem vestram, hujus rei gratiâ, dominum Stephanum Gardinerum, primarium secretissimorum conciliorum meorum secretarium, mei dimidium, et quo neminem habeo cariorem. Referet ille cuncta distinctiùs, meum pectus aperiet. Vestram igitur sanctitatem humillime rogo, ut eum loquentem me loqui existimare, et eam fidem, quam præsenti mihi haberet, illi et domino Edwardo Foxo, regio familiari, in omnibus præstare, et me à tam anxiâ expectatione liberare, dignetur.

Letter from Wolsey to G. Casali, requesting a Decretal Bull.
May 7, 1528.

[Vitellius, B. x. 88.]

Magnifice domine Gregori, &c. Ingentem serenissima regia majestas et ego lætitiam concepimus, quum tum ex domini Stephani literis, tum verò ex domini Foxi relatu cognovimus, quantâ fide, industriâ, ac vigilantiâ usi sitis in ejusdem regiæ majestatis conficiendo negotio; quem vestrum animum, etsi sæpe antea arduis in rebus exploratissimum certissimumque haberemus, hoc tamen tam claro testimonio nunc esse comprobatum mirifice lætamur: nihil enim a vobis omissum perspicimus, quod votum nostrum utcuncque juvare potuisset. Ceterùm cum nonnulla adhuc meo, aliorumque doctissimorum virorum judicio superesse videantur, ad regiæ majestatis causam securissime stabiliendam, finiendamque, de quibus ad D. Stephanum in presentiâ perscribo, vos iterum, atque iterum rogo, ut de illis impetrandis, apud S. D. N., una cum D. Stephano, vestram gratiam, et authoritatem, quam apud ejus sanctitatem maximam esse et audio, et gaudeo, pro viribus interponatis, maxime autem ut in commissione illâ decretali a S. D. N., nullis arbitris, seu consultoribus, admissis, concedendâ, et secretò ad me mittendâ, omnes vires ingenii, prudentiæ, diligentiæque vestræ adhibeatis; affirmabitisque, et in salutem animamque meam eidem S. D. N. sponde-

bitis, quod dictam bullam secretissime, nullis mortalium oculis conspiciendam, apud me asservabo, tantâ fide et cautione, ut ne minimum quidem ex eâ re periculum, vel periculi metum ejus sanctitas sit sensura. Non enim eo consilio, aut animo, eam commissionem impetrari tam vehementer cupio, ut vel illius vigore ullus processus, aut aliud preterea quicquam ageretur, vel eadem publice, privatimve legenda ulli exhiberetur; sed ut hac, quasi arrhâ, et pignore summæ paternæque S. D. N. erga regiam majestatem benevolentiæ apud me depositâ, cum videat nihil illi denegaturum quod petiverit, perspiciatque tantum fidei ejus sanctitatem in me reposuisse, sic mea apud dictam majestatem augeatur authoritas, ut quanquam vires omnes suas opesque apostolicæ sedis conservationi, et in pristinum statum reparationi suâ sponte dicaverit, me tamen suasore et consultore, omnia in posterum, et cum sanguinis effusione, sit concessura, et effectura, quæ in ejusdem sedis et suæ beatitudinis securitatem, tranquillitatem, et commodum quacunque ratione cedere poterunt.

Wolsey to G. Casali, requesting permission to show the Decretal Bull to certain Members of the King's Council, 1528.

[Vitellius, B. x. 192.]

Illud igitur video maxime necessarium superesse, ut decretalis bulla, quam reverendissimus dominus legatus secum defert, secretò legenda exhibeatur nonnullis ex regiis consultoribus, eo quidem consilio, non ut in judicium proferatur, vel ad causam definiendam adhibeatur, sed solum ut perspicientes illi, quorum prudentia, et authoritas non parva est, nihil a me fuisse omissum, quod causam regis possit securissimam reddere, omniaque fuisse a S. D. N. concessa, quæ in causæ firmamentum ullo pacto queant excogitari, facilius, ubi regiæ majestatis securitati, regni quieti, et perpetuo totius rei stabilimento undique consultum viderint, in sententiam nostram deveniant, summâque cum diligentiâ, et authoritate apostolicâ, ad Dei gloriam cuncta rectissime absolvantur. Proinde, domine Gregori, iterum atque iterum vos impense rogo, quòd, ad S. D. N. genua devoluti, ejus beatitudinem meo nomine obsecretis, ut hoc reliquum meæ fidei meæque dexteritati de bullâ decretali ostendendâ committere velit; quam rem sic moderabor, ut nullum prorsus periculum, nullum damnum, nullum odium queat unquam sibi, vel sedi apostolicæ provenire; hocque tam instanter precor, ut pro salute meâ conservandâ petere queam ardentius nihil.

No. XVIII.—(*Referred to at page* 194.)

The Bull of Dispensation for the King's marriage with Catherine of Spain.

[Rymer, xiii. 89.]

Julius Episcopus, servus servorum Dei, dilecto filio Henrico, charissimi in Christo filii nostri, Henrici, regis Angliæ illustris, nato, et dilectæ in christo filiæ Catharinæ, charissimi in Christo filii nostri, Ferdinandi regis, et charissimæ in Christo filiæ nostræ Elizabethæ, reginæ, Hispaniarum et Siciliæ catholicorum, natæ, illustribus, salutem et apostolicam benedictionem. Romani pontificis præcellens auctoritas concessâ sibi desuper utitur potestate, prout, personarum, negotiorum, et temporum qualitate pensatâ, id in Domino conspicit salubriter expedire. Oblatæ nobis nuper pro parte vestrâ petitionis series continebat, quòd, cum aliàs tu, filia Catharina, et tunc in humanis agens quondam Arthurus, charissimi in Christo filii nostri Henrici Angliæ regis illustris, primogenitus (pro conservandis pacis et amicitiæ nexibus et fœderibus, inter charissimum in Christo filium nostrum Ferdinandum, et charissimam in Christo filiam nostram Elizabetham, Hispaniarum et Siciliæ catholicos, ac præfatum Angliæ regem et reginam), matrimonium per verba legitime de præsenti contraxissetis, illudque carnali copulâ forsan consummavissetis, dictus Arthurus, prole ex hujusmodi matrimonio non susceptâ, decessit; cum autem, sicut eadem petitio subjungebat, ad hoc, ut hujusmodi vinculum pacis et amicitiæ inter præfatos reges et reginam diutiùs permaneat, cupiatis matrimonium inter vos per verba legitimè de præsenti contrahere, supplicari nobis fecistis, ut vobis in præmissis de opportunæ dispensationis gratiâ providere de benignitate apostolicâ dignaremur; nos igitur, qui inter singulos Christi fideles, præsertim catholicos reges et principes, pacis et concordiæ amœnitatem vigere intensis desideriis affectamus, vosque et quemlibet vestrûm à quibuscumque excommunicationis suspensionis et interdicti, aliisque ecclesiasticis sententiis, censuris, et pœnis à jure vel ab homine, quâvis occasione vel causâ, latis, si quibus quomodolibet innodati existitis, ad effectumpræ sentium duntaxat consequendum, harum serie absolventes, et absolutos fore censentes, hujusmodi supplicationibus inclinati, vobiscum, ut impedimento affinitatis hujusmodi ex præmissis proveniente, ac constitutionibus apostolicis cæterisque contrariis nequaquàm obstantibus, matrimonium per verba legitime de præsenti inter vos contrahere, et in eo, postquàm contractum fuerit, etiamsi jam forsan hactenùs de facto publice vel clandestine contraxeritis, ac illud carnali copulâ consummaveritis, licite remanere valeatis, auctoritate apostolicâ tenore præsentium, de specialis dono gratiæ, dis-

pensamus, ac vos et quemlibet vestrûm, si contraxeritis (ut præfertur), ab excessu hujusmodi, ac excommunicationis sententiâ quam propterea incurristis, eâdem auctoritate absolvimus, prolem ex hujusmodi matrimonio, sive contracto sive contrahendo, susceptam forsan vel suscipiendam, legitimam decernendo. Proviso, quòd tu, filia Catharina, propter hoc rapta non fueris: Volumus autem quòd, si hujusmodi matrimonium de facto contraxistis, confessor, per vos et quemlibet vestrûm eligendus, pœnitentiam salutarem propterea vobis injungat, quam adimplere teneamini. Nulli ergo omnino hominum liceat hanc paginam nostræ absolutionis, dispensationis, et voluntatis infringere, vel ei ausu temerario contraire: si quis autem hoc attentare præsumpserit, indignationem Omnipotentis Dei, ac beatorum Petri et Pauli, apostolorum ejus, se noverit incursurum. Dat. Romæ, apud S. Petrum, anno incarnationis Dominicæ millesimo quingentesimo tertio, septimo Cal. Januarii, Pontificatûs nostri anno primo.

SIGISMUNDUS.

The Breve of Dispensation,

[Herbert, 266.]

Julius Papa secundus, &c. Dilecte fili, et dilecta in Christo filia, salutem et apostolicam benedictionem. Romani pontificis præcellens auctoritas concessâ sibi desuper utitur potestate, prout, personarum, negotiorum, et temporum qualitate pensatâ, id in Domino conspicit salubriter expedire. Oblatæ nobis nuper pro parte vestrâ petitionis series continebat, quòd cum aliàs tu, filia Catharina, et tunc in humanis agens quondam Arthurus, charissimi in Christo filii nostri Henrici, Angliæ regis illustrissimi, primogenitus (pro conservandis pacis et amicitiæ nexibus et fœderibus, inter præfatum Angliæ regem, et charissimum in Christo filium nostrum Ferdinandum regem, et charissimam in Christo filiam nostram Elizabetham reginam catholicos Hispaniarum et Siciliæ), matrimonium per verba legitime de præsenti contraxeritis, illudque carnali copulâ consummaveritis; quia tamen dominus Arthurus, prole ex hujusmodi matrimonio non susceptâ, decessit, et hujusmodi vinculum pacis et connexitatis inter præfatos reges et reginam ita firmiter verisimiliter non perduraret, nisi etiam illud alio affinitatis vinculo confoveretur et confirmaretur, ex his, et certis aliis causis, desideratis matrimonium inter vos per verba legitime de præsenti contrahere: sed, quia desiderium vestrum in præmissis adimplere non potestis, dispensatione apostolicâ desuper non obtentâ, nobis propterea humiliter supplicari fecistis, ut vobis providere in præmissis de dispensationis gratiâ et benignitate apostolicâ dignaremur. Nos igitur, qui inter singulos Christi fideles, præsertim catholicos reges et principes, pacis et con-

cordiæ amœnitatem vigere intensis desideriis affectamus (his et aliis causis animum nostrum moventibus), hujusmodi supplicationibus inclinati, vobiscum, ut, aliquo impedimento affinitatis hujusmodi ex præmissis proveniente nonobstante, matrimonium inter vos contrahere, et in eo, postquam contractum fuerit, remanere, libere et licite valeatis, auctoritate apostolicâ per præsentes dispensamus: et quatenus forsàn jam matrimonium inter vos de facto publice vel clandestine contraxeritis, ac carnali copulâ consummaveritis, vos et quemlibet vestrûm ab excessu hujusmodi, ac excommunicationis sententiâ, quam propterea incurristis, eâdem auctoritate absolvimus, ac etiam vobiscum, ut in hujusmodi matrimonio, sic de facto contracto, remanere, seu illud de novo contrahere inter vos, libere et licite valeatis, similiter dispensamus; prolem, ex hujusmodi matrimonio, sive contracto sive contrahendo, suscipiendam, legitimam decernendo. Volumus autem, si hujusmodi matrimonium de facto contraxistis, confessor, per vos et quemlibet vestrûm eligendus, pœnitentiam, quam adimplere teneamini, propterea vobis injungat. Dat. Romæ, apud S. Petrum, sub annulo piscatoris, die xxvi. Decembris, MDIII., Pontificatûs nostri anno primo.

No. XIX.—(*Referred to at page* 196.)

A Bull, forbidding Henry to contract a second marriage, until the first shall have been judicially and properly annulled.

[Le Grand, iii. 446.]

Universis et singulis, ad quos presentes literæ pervenerint, salutem, et apostolicam benedictionem. Exponi nobis nuper fecit charissima in Christo filia nostra Catharina Angliæ regina illustrissima, quod aliàs, postquam validitatis seu invaliditatis matrimonii, ex dispensatione apostolicâ inter reginam ipsam et charissimum in Christo filium nostrum, Henricum Angliæ regem illustrissimum, et fidei defensorem, multis jam decursis annis, prole susceptâ, contracti, et pacifice continuati, ipsiusque dispensationis, ac inter eos divortii causis, ex nostro pastorali officio dilectis filiis, Thomæ S. Ceciliæ, et Laurentio S. Mariæ in trans-Tyberim, presbyteris cardinalibus, in regno Angliæ nostris, et apostolicæ sedis legatis de latere, omni recusatione et appellatione remotis, per eos in eodem regno cognoscendis, et decidendis, per nos commissis, dictisque rege et reginâ, ex eorundem cardinalium officio et mandato, certis die et loco, in jus vocatis, eadem regina, coram iisdem cardinalibus et legatis comparens, ipsos ex loco, et personis, ac aliâs suspectos recusaverat, et ab eorum citatione, et comminato processu, ad nos et sedem apostolicam pluries appellaverat, cum ipsi cardinales et legati, omnibus his rejectis, se judices competentes, et ad ulteriora, in causis ipsis, per eos procedi

posse, et debere, declarassent, ipsa regina, ab hujusmodi declaratione appellans, illicentiata recesserat, ipsique cardinales, et legati, contra eam ut contumacem, a jurium et testium receptione, procuratore ipsius regis presente, ac aliàs præcesserant. Nos ut dictæ causæ sine suspicione procederent, illas, et prædictarum appellationum, ad ipsius reginæ supplicationem, dilecto filio magistro Paulo Capisucio, capellano nostro, et causarum Palatii apostolici auditori, per eum audiendas, et nobis referendas, etiam cum potestate regem ipsum, et alios citandi, ac eis et dictis cardinalibus inhibendi etiam sub censuris, et pœnis etiam pecuniariis, etiam per edictum publicum, constito summarie et extrajudicialiter de nostro tuto accessu, et aliàs commissimus, ipseque Paulus auditor, constito sibi de non tuto accessu, citationem ipsam, cum inhibitione sub censuris, et decem millium ducatorum auri pœnis, per edictum publicum, in certis locis almæ urbis nostræ, et in partibus, in collegiatæ Beatæ Mariæ Brugensis, Tornacencis, et parochialis de Dunbrech [Dunkerque], oppidorum Morinensis diocesium, ecclesiarum valvis affigendum decrevit, et in eis præmissa legitime executa fuerint, ac dicto regi, et aliis omnibus, ne in prejudicium litis ac jurium dictæ reginæ interim aliquid innovarent, mandatum fuit, revocatis postea, quoad ipsum regem, pœnis et censuris in citatione et inhibitione appositis. Cum autem pro parte ejusdem reginæ nobis denuo expositum fuerit, ad ejus aures pervenisse, regem ipsum, lite hujusmodi, ac inhibitione, et mandato sibi factis, non obstantibus, se jactare, ad secundas nuptias de facto devenire velle, in non modicum ipsius reginæ præjudicium, ac in ipsius regis animæ perniciem, quare pro parte ipsius reginæ nobis fuit humiliter supplicatum, ut ejus honori, ac ipsius regis animæ saluti consulere, aliàsque in præmissis opportune providere de benignate apostolicâ dignaremur. Nos itaque attendentes, justis et honestis petitionibus nostrum assensum denegari non posse, hujusmodi supplicationibus inclinati, authoritate apostolicâ, per hoc nostrum edictum publicum in audientiâ nostrâ contradictarum publicandum, ac earundem ecclesiarum valvis adfigendum, cum aliàs præfato Paulo auditori constiterit, ad illud eidem regi intimandum non patere accessum, prout etiam de præsenti non pateat, eidem regi ac quibusvis utriusque sexûs, etiam ejus domesticis, ac etiam consiliariis, secretariis, et aliis cujuscunque statûs, gradûs, dignitatis, et excellentiæ personis, districte interdicimus, prohibemus, et districtiùs inhibemus, omnem omninò licentiam, potestatem, et facultatem ab eis auferentes, ne, sub majoris excommunicationis, et suspensionis, ac etiam omnium cathedralium, et metropolitanarum ecclesiarum, et locorum secularium, et quorumvis ordinum regularium dicti regni, interdicti inviolabiliter observandi, et quorumvis ecclesiasticarum dignitatum, feodorum, beneficiorum, et bonorum secularium, et ecclesiasticorum, ac inhabilitatis ad ea,

et quæcunque alia in posterum obtinenda, latæ sententiæ, pœnis, eo ipso si contra fecerint, vel eorum aliquis contra fecerit, incurrendis, ipse rex antequàm per debitam, et finalem litis, et causæ hujusmodi expeditionem clare liqueat id sibi licere de jure, cum aliquâ muliere cujuscunque dignitatis, et excellentiæ, etiam vigore cujusvis desuper forsan sibi, aut tali mulieri, aut aliàs quomodolibet, etiam per nos, aut sedem prædictam concessæ, vel concedendæ, contrahendi licentiæ, aut contracti approbatione, nec aliqua mulier cum eodem rege matrimonium, vel sponsalia contrahere, nec forsan contracta et consummata, etiam prole susceptâ, continuare, nec secretarii, consiliarii, prælati, aut quicunque alii interesse, nec de eis se intromittere quoquo modo præsumant, nec eorum aliquis præsumat, inhibendo etiam prædictis cardinalibus, et legatis, ac aliis quibuscunque ne de causis prædictis, aut matrimonio comminato, etiam nomine legatorum, aut privatim, aut alio quoque modo se intromittant. Sed cum etiam, lite pendente, nullus debeat possessione conjugii, aut debiti conjugalis spoliari, idem rex, ut principem et christianum catholicum decet, dictam reginam complectendo illam sub dictis pœnis affectione maritali tractet in omnibus, et per omnia, prout idem regi convenit, et finem litis suâ solitâ prudentiâ patienter expectet. Cum juri conveniat litem prosequi, et maritales affectus præstare, nec ante finem litis rex ipse, alicujus suasione, aut consilio, conscientiam læsam habere, allegare, aut affirmare valeat, cum de his judicare ad eum non pertineat, præsertim cum reginam ipsam pro verâ conjuge habuerit, et tractaverit, et in pacificâ possessione hujusmodi matrimonii, cum prolis susceptione, fuerit; et propterea, si rex præfatus, vel alii, inhibitioni, ac prohibitioni, et interdicto hujusmodi contravenerint, regem ipsum, ac alios omnes supradictos sententias, censuras, et pœnas prædictas, ex nunc, prout ex tunc, incurrisse declaramus, et ut tales publicari, ac publice nuntiari, et evitari, ac interdictum per totum regnum Angliæ, sub dictis pœnis, observari debere, volumus, atque mandamus. Quocirca vobis, et singulis vestrum, etiam in dignitate constitutis, sub excommunicationis latæ sententiæ pœnâ, districte præcipiendo mandamus, quatenus postquam præsentes ad vos pervenerint, seu vobis præsentatæ fuerint, et commode poteritis, easdem præsentes literas in dictâ audientiâ contradictarum publicari, et valvis earundem ecclesiarum affigi, ac paulisper inde amoveri, et earum copiam collationatam eisdem valvis affixam dimittere, et demum super publicatione, et affixione præsentium literarum, et illarum copiæ affixæ dimissione, publica et authentica instrumenta, manu publici notarii, coram testibus fieri faciatis, et de his omnibus et aliis, quæ in præmissis per vos gesta fuerint, nos, seu Paulum ipsum auditorem, certiores reddere curabitis. Nos enim præsentium literarum publicationem, affixionem, et copiæ dimissionem per vos faciendas, postquam

factæ fuerint, eosdem regem, et alios prædictos, et eorum quemlibet, perinde arctare, ac si præsentes omniaque in eis contenta eis personaliter intimata, ac illarum copiæ eis datæ, traditæ, et dimissæ fuerint; et nihilominus quidquid per regem et alios prædictos, et eorum quemlibet, contra primum interdictum, et alia præmissa factum, vel attemptatum fuerit, nullum penitus, et invalidum, nulliusque roboris, vel momenti esse, ac interdictum nostrum hujusmodi, et alia præmissa, præsentesque nostras literas, et quæ ex eis forsan sequerentur, etiam cum totali earum insertione, nullatenus revocari, suspendi, derogari, limitari, restringi, modificari, aut declarari posse, etiam per nos, aut dictam sedem, etiam motu, aut ex certâ scientiâ, ac de apostolicæ potestatis plentitudine fiet, nullius momenti existere, nisi ad ipsius prefæta reginæ specialis, et expressus accedat assensus, decernimus, &c. Datum Bononiæ, sub annulo Piscatoris, die 7 Martii, 1530, pontificatûs nostri anno septimo.

Sic subscriptum. *Evangelista.*

No. XX.—(*Referred to at page* 198).

Censura Academiæ Oxoniensis in Causâ Divortii.

[Wood, Antiq. Oxon. 255.]

Omnibus Christi fidelibus ad quos scriptum præsens pervenerit, Nos, universitas doctorum et magistrorum, tam regentium quam non regentium, omnium et singularum facultatum almæ universitatis Oxon, salutem in eo qui est vera salus. Professionis nostræ debitum, pariter et Christianæ charitatis officium, illud a nobis efflagitat, ut parati et faciles semper simus de nostræ cognitionis luce aliis libenter impertiri, et satisfacere omni poscenti de eâ quæ in nobis est fide, doctrinâ, et scientiâ. Cum igitur nos sæpius rogati, et requisiti sumus, ut, an nobis jure divino, pariter ac naturali, prohibitum videretur, ne quis Christianus relictam fratris sui morientis sine liberis duceret uxorem, nostram sententiam explicaremus: quoniam examinatis, et discussis, cum omni fide, diligentiâ, et sinceritate sacræ scripturæ locis, et sanctorum patrum sententiis, ac interpretationibus, quæ ad eruendam in hac quæstione veritatem facere et pertinere judicavimus, tum etiam auditâ gravissimorum et eruditissimorum doctorum, et baccalaureorum sacræ theologiæ, quibus illud negotii demandatum est, opinione et sententiâ super dictâ quæstione, post multas, frequentes, et publicas disputationes ab illis pronuntiatâ, et declaratâ, invenimus, et judicavimus, illa longe probabiliora, validiora, veriora, et certiora esse, tum etiam genuinum et sincerum sacræ scripturæ sensum præferentia, et interpretum denique sententiis magis consona, quæ confirmant, et probant jure divino, pariter et naturali, prohibitum esse Christianis, ne quis frater relictam germani fratris morientis sine liberis, et ab eodem *carnaliter*

cognitam, accipiat in uxorem. Nos igitur, universitas Oxoniensis antedicta, ad quæstionem prædictam ita respondendum decrevimus, et in his scriptis ex totius universatis sententiâ respondemus, ac pro conclusione, nobis solidissimis rationibus, et validissimis argumentis comprobatâ, affirmamus, quòd ducere uxorem fratris, mortui sine liberis, cognitam a priori viro per *carnalem copulam,* nobis christianis est de jure divino pariter ac naturali prohibitum. Atque in fidem, et testimonium hujusmodi nostræ responsionis et affirmationis, his literis sigillum nostrum curavimus apponi. Datum in congregatione nostrâ Oxonii, die 8 Aprilis, 1530.

No. XXI.—(*Referred to at page* 199.)

Anthony Wood's Account how the Oxford Censure against Queen Catherine and King Henry VIII.'s Marriage was obtained.

[Antiq. Oxon. 256.]

Hanc autem Oxoniensium determinationem, quam vocant, regi detulit commissarius academicus, quem et togatorum nonnulli comitabantur; Henricum vero haud modica incessit lætitia; utpote qui causam suam celeberimæ universitatis suffragio corroboratam abunde intelligeret, cui propterea propensiorem sese in posterum spondebat. Atqui pauca duco subnectenda, repudium hoc regium, et academiæ nostræ pertinaciam tangentia.

1. Primo itaque, nemo non videt, libera eâ in re requisita suffragia, sed formulæ propositæ mancipatum assensum extortum fuisse: verum academicis nostris solemne semper fuit terroribus minime cedere de sententiâ, nec minis dimoveri.

2. Quicquid in gratiam regis, exclusis magistris, gerebatur, id in se irritum prorsus fuit, si jura academiæ spectentur. Universitas enim nostra, quod sæpius monuimus, in artibus fundata est.

3. Suspicio est, periclitanti hac in re authoritati papali subveniendum arbitratos commissarium et collegiorum præsides, regentes, ut in assensu suo negando persisterent, occulte animasse: regiæ nimirum voluntati contranitendum sibi aperte nequaquam existimantes, ne tum opum, et dignitatum spe deciderent, tum ulterioris fortean pœnæ periculum adirent.

4. Utriusque academiæ, necnon cleri Anglicani (cujus per hæc tempora synodus, sive convocatio solemnis, habebatur) procuratores, ut quod Henrico cordi esset decerneretur, satagebant; et propter alios in easdem partes pertractos præmia reportabant.

5. Repudium illud pro suggestu etiam impugnabant academici nonnulli, eruditione, et pietate clari; famam universitatis in clandestino togatorum purpuratorum conventu laborare profitentes.

6. Divortium quidem licèt aperte probabant, acriterque tuebantur commissarius et plerique collegiorum præfecti, non deerant tamen doctores, qui audacter reclamarent, et contrariam sententiam scriptis etiam abstruerent, quorum de numero, præter Baynum quendam, erant Thomas Kirkham ex ordine minorum, Johannes Roper, dominæ Margaritæ mox ante professor, Joannes Holyman antedictus, et Joannes Moreman e collegio Exoniensi; de quibus nonnulla memoratu digna subjungi possint: sed a proposito nostro aliena, præsertim cum ad alia festinandum sit, referre non vacat.

7. Denique, frustra sane et pœnas academicis interminatus fuisset Henricus (tametsi aliquos pontifici addictos clam se propterea subduxisse fatendum) nisi nocte intempestâ conventum, quem simile primo nuncupamus, quasi per latrocinium habuisset commissarius, et prolato clanculum sigillo publico, literas, quas præfati sumus, firmasset: quem cum suis in cœtum hunc nocturnum coiturum animadvertens regentium alter (is e collegio Baliolensi, et, nomine, Henricus Rex, fuisse dicitur, unde adinventam ex joco fabulam crediderim) iisdem se quàm citissime adjunxit, atque braccis loco capucii collo circumdatis, facto obsistebat, ex eorum se numero palam professus, qui commissario sigilli academici contra fas, et academiæ jura scripto subdititio apponendi usu interdicerent.

No. XXII.—(*Referred to at page* 199.)

Determinatio Academiæ Cantabrigiensis in Causâ Divortii.

[Burnet, iii. Rec. p. 22.]

Nos, Universitas studentium Academiæ Cantabrigiensis, omnibus infrascripta lecturis auditurisve salutem. Cum occasione causæ matrimonialis, inter invictissimum et potentissimum principem et Dominum nostrum, Henricum octavum, Dei gratiâ Angliæ Franciæque regem, Fidei Defensorem, ac dominum Hiberniæ, et illustrissimam dominam Catharinam Reginam controversæ, de illâ quæstione nostra rogaretur sententia (videlicet, an sit jure divino et naturali prohibitum, ne frater ducat in uxorem relictam fratris, mortui sine liberis?), nos de eâ re deliberaturi more solito convenientes, atque, communicatis consiliis, maturâ consultatione tractantes, quomodo [et] quo ordine ad investigationem veritatis certiùs procederetur, ac omnium tandem suffragiis, selectis quibusdam ex doctissimis sacræ theologiæ professoribus, baccalaureis, ac aliis magistris eâ curâ demandatâ, ut, scrutatis diligentissimè sacræ scripturæ locis, illisque collatis, referrent ac renunciarent, quid ipsi dictæ quæstioni respondendum putarent: quoniam, auditis, perpensis, ac, post publicam super dictâ quæstione disputationem, maturâ deliberaBB 2

tione discussis hiis, quæ in quæstione prædictâ alterutram partem statuere et convellere possint, illa nobis probabiliora, validiora, veriora, etiam et certiora, ac genuinum et sincerum sacræ scripturæ intellectum præ se ferentia, interpretum etiam sententiis magis consona visa sunt, quæ confirmant et probant, jure divino et naturali prohibitum esse, ne frater uxorem fratris, mortui sine liberis, accipiat in conjugem: illis igitur persuasi, et in unam opinionem convenientes, ad quæstionem prædictam ita respondendum decrevimus, et in hiis scriptis, nomine totius universitatis, respondemus, ac pro conclusione nobis solidissimis rationibus et validissimis argumentis comprobatâ affirmamus, quòd, ducere uxorem fratris mortui sine liberis, *cognitam à priori viro per carnalem copulam*, nobis christianis hodie est prohibitum jure divino ac naturali. Atque, in fidem et testimonium hujusmodi nostræ responsionis et affirmationis, hiis literis sigillum nostrum commune curavimus apponi. Dat. congregatione nostrâ Cantabrigiæ, die nono Martii, anno Domini millesimo quingentesimo vicesimo nono.

No. XXIII.—*(Referred to at page* 201 *)*

Censura Facultatis Theologicæ Andegavensis, contra Divortium Henrici VIII. et Catharinæ.

[Le Grand, iii. 507.]

Universis præsentes literas inspecturis, et audituris, nos decanus, et facultas theologiæ almæ universitatis Andegavensis, salutem in Domino. Visum est nobis, congregatis ex mandato Christianissimi domini nostri regis, submittendo tamen opinionem nostram censuræ ecclesiæ universalis, super dubium nobis propositum (quod est tale, utrum jure divino, pariter et naturali, illicitum sit homini Christiano relictam fratris sui, etiam absque liberis, sed *matrimonio jam consummato*, defuncti, ducere uxorem? et an pontifici liceat super hujusmodi nuptiis dispensare?), Hujusmodi matrimonium non adversari juri naturali, neque divino; et pontificem, propter causam rationabilem, potuisse in hac re dispensare. In quorum omnium testimonium, jussimus præsens instrumentum sigillo nostræ facultatis muniri, ac manu nostri procuratoris et scribæ signari. Datum Andegavi, in nostrâ congregatione generali, ad hoc specialiter celebratâ, in refectorio S. Mauritii, hac die 7 mensis Maii A.D. 1530. Signatur Michletius procurator et scriba supradictæ facultatis.

Censura Almæ Universitatis Aurelianensis in Causâ Divortii.

[Burnet, i. Rec. p. 84.]

Cum, abhinc aliquo tempore, nobis, collegio doctorum regentium almæ universitatis Aurelianensis, propositæ fuerint quæ sequuntur quæs-

tiones; viz., An jure divino liceat fratri relictam fratris (quam fratriam vocant) accipere uxorem? *Item*, Et si hoc sit eo jure vetitum, utrum divinæ legis prohibitio pontificali dispensatione remitti possit? Nos, prædictum collegium, post multas ad prædictorum dubiorum disputationem (de more nostro) factas sessiones, et congregationes, postque juris tum divini tum canonici locos (quoad facere potuimus) examinatos, et omnibus mature, atque exacte pensatis, et consideratis; definivimus, prædictas nuptias citrà divinæ legis injuriam attentari non posse; etiamsi summi pontificis accedat indulgentia, vel permissio. In cujus rei testimonium, præsens publicum instrumentum a scribâ præfatæ almæ universitatis subsignari fecimus, ejusdemque sigillo communiri. Actum in sacello B. Mariæ Boni nuntii Aurelianensis, A.D. 1529, die 5 mensis Aprilis.

Censura Facultatum Juris Pontificii et Legum Universitatis Andegavensis, in Causâ Divortii.

[Rymer, xiv. 391.]

Cum certo abhinc tempore nobis, rectori et doctoribus regentibus in pontificiâ et legum disciplinâ almæ universitatis Andegavensis, sequentes quæstiones propositæ fuerint, scilicet, Utrum jure divino, pariter et naturali, illicitum sit homini Christiano relictam fratris sui, etiam absque liberis, sed *matrimonio jam consummato*, defuncti ducere uxorem? Et, An summo pontifici liceat super hujusmodi nuptiis dispensare? Nos, præfati rector, et doctores, post plures ad disputationem hujusmodi quæstionum, et veritatem aperiendam factas ex more congregationes et sessiones, postque varios juris, tam divini quàm humani, locos, qui ad rem pertinere videbantur, discussos, multas quoque rationes in utramque partem adductas, et examinatas, omnibus fideliter consideratis, et maturâ deliberatione præhabitâ, definimus, neque divino, neque naturali jure permitti homini Christiano, etiam cum sedis apostolicæ authoritate, seu dispensatione, super hoc adhibitâ, relictam fratris, qui etiam sine liberis post *consummatum matrimonium* decesserit, uxorem accipere vel habere. In quorum omnium supradictorum fidem, præsens publicum instrumentum a scribâ seu notario præfatæ almæ universitatis subsignari jussimus, ejusdemque universitatis consueto sigillo muniri. Actum in æde sacrâ divi Petri Andegavensis, in collegio nostro, A.D. 1530, die 7 mensis Maii.

Censura Facultatis Decretorum almæ Universitatis Parisiensis in Causâ Divortii.

[Rymer, xiv. 392.]

In nomine Domini, Amen. Cum proposita fuisset coràm nobis, decano et collegio consultissimæ facultatis decretorum Parisiensis univer-

sitatis, quæstio, An papa possit dispensare, quòd frater possit in uxorem ducere, sive accipere, relictam fratris sui, *matrimonio consummato* per fratrem præmortuum? Nos, decanus et collegium præfatæ facultatis, post multas disputationes, et argumenta, hinc inde super hâc materiâ facta, et habita, cum magnâ et longâ librorum, tam divini, quàm pontificii et civilis, jurium revolutione, consulimus, et dicimus, papam non posse in facto proposito dispensare. In cujus rei testimonium, has præsentes sigillo nostræ facultatis, et signo nostri scribæ primi bedelli muniri fecimus. Datum in congregatione nostrâ, apud sanctum Johannem Lateranensem, Parisiis, die 23 Maii, A.D. 1530.

Censura Universitatis Biturícensis in Causâ Divortii.

[Rymer, xiv. 392.]

Nos cum decano theologiæ, facultas in universitate Biturícensi (ut, doctoris gentium Pauli exemplo, plerisque locis, auspicemur scriptum nostrum a precatione) omnibus dilectis Dei, in quibus vocati estis, lectores charissimi quique, ad quos scribimus, gratia vobis, et pax a Deo Patre, et Domino nostro Jesu Christo. Dum complerentur dies inter octavas Pentecostes, et essemus omnes pariter in eodem loco, corpore et animo congregati, sedentesque in domo dicti decani, facta est nobis rursus quæstio eadem, quæ sæpius antea, non quidem parva, hunc in modum: An rem faciat illicitam necne frater accipiens in uxorem a præmortuo fratre relictam, *consummato etiam matrimonio?* Tandem rei ipsius veritate disquisitâ et perspectâ, multo singulorum labore, et sacrorum iteratâ atque iteratâ revolutione codicum, unusquisque nostrum non facinatus quo minus veritati obediret, cœpit, prout Spiritus Sanctus dedit, suum hoc unum arbitrium eloqui absque personarum acceptione: in veritate comperi, personas, memoratas in capite Levitici octavo supra decimum, prohibitas esse jure ipso naturali, authoritate humanâ minime relaxabili, et vetitas ne invicem matrimonium contrahant, quo fit fraternæ turpitudinis abominabilis revelatio. Et hoc vobis signum nostri bedelli notarii publici, cum sigillo dictæ supra nostræ facultatis præsentibus appenso, die 10 Junii, anno a Christi nativitate 1530. Ut autem nostræ scriptionis pes et caput uni reddantur formæ, quemadmodum sumus auspicati a precatione, ita claudamus illius, quo suprà, exemplo. Gratia Domini nostri Jesu Christi, charitas Dei, et communicatio Sancti Spiritus, sit cum omnibus vobis. Amen.

Censura Facultatis sacræ Theologiæ Universitatis Parisiensis in Causâ Divortii.

[Rymer, xiv. 393.]

Decanus et facultas sacræ theologiæ almæ universitatis Parisiensis, omnibus ad quos præsens scriptum pervenerit, salutem in eo qui est

vera salus. Cum nuper suborta magnæ difficultatis controversia super invaliditate matrimonii, inter serenissimum Henricum VIII., Angliæ regem, fidei defensorem, et dominum Hiberniæ, ac illustrissimam dominam Catharinam Angliæ reginam, claræ memoriæ Ferdinandi regis Catholici filiam, contracti, et *carnali copulâ consummati*, illa etiam nobis quæstio, in justitiâ, et veritate discutienda et examinanda, proposita fuerat, viz., an ducere relictam fratris, mortui sine liberis, sic esset jure divino et naturali proh bitum, ut interveniente summi pontificis dispensatione non possit fieri licitum, ut quis Christianus relictam fratris ducat, et habeat in uxorem? Nos, decanus et facultas antedicta, cogitantes quàm esset pium, et sanctum, necnon debito charitatis, et nostræ professioni consentaneum, ut his, qui in lege Domini securâ tranquillâque conscientiâ vitam hanc ducere et transigere cupiant, viam justitiæ ostenderemus, noluimus tam justis, et piis votis deesse. Hinc, more solito, apud ædem S. Mathurini per juramentum convenientes, et solemni missâ cum invocatione Spiritûs Sancti ob hoc celebratâ, necnon præstito juramento de deliberando super præfatâ quæstione, secundum Deum, et conscientiam, post varias et multiplices sessiones, tam apud ædem S. Mathurini, quàm apud collegium Sorbonæ, ab octavo Junii, usque ad secundum Julii, habitas et continuatas, perscrutatis priûs, excussisque quàm diligentissime, eâ quâ decuit reverentiâ et religione, Sacræ Scripturæ libris, eorumque probatissimis interpretibus, necnon sacrosanctæ ecclesiæ generalibus ac synodalibus conciliis, decretis, et constitutionibus, longo usu receptis et approbatis; nos prædicti decanus et facultas, de prædictâ quæstione disserentes, et ad eam respondentes, sequentes unanime judicium et consensum majoris partis totius facultatis, asseruimus et determinavimus, prout et in his scriptis asserimus et determinamus, quòd prædictæ nuptiæ cum relictis fratrum, decedentium sine liberis, sic naturali jure, pariter et divino, sunt prohibitæ, ut super talibus matrimoniis contractis, sive contrahendis, summus pontifex dispensare non possit. In cujus nostræ assertionis et determinationis fidem et testimonium, sigillum nostræ facultatis, cum signo nostri notarii, seu bedelli, præsentibus apponi curavimus. Datum in generali nostrâ congregatione, per juramentum celebratâ, apud S. Mathurinum, anno Domini millesimo quingentesimo trigesimo, mensis vero Julii die secundâ.

Censura Universitatis Tholosanæ in Causâ Divortii.

[Rymer, xiv. 397.]

Tractabatur in nostrâ Tholosanâ academiâ perquam difficilis quæstio, Liceatne fratri eam, quæ jam olim defuncto fratri uxor fuerat (nullis tamen relictis liberis), in matrimonio sibi conjungere? Accedebat et

alius scrupulus, qui nos potissimum torquebat, an, si Romanus pontifex, cui est commissa gregis Christiani cura, id suâ quam vocamus dispensatione permittat, tunc saltem liceat? Ad utramque quæstionem agitandam doctores omnes regentes, qui tunc Tholosæ aderant coegit rector noster in concilium. Neque id semel tantum, sed etiam iterum, quippe existimans præcipitari non oportere consilia, indigereque nos tempore, ut aliquid maturiùs agamus. Demum cum in unum locum convenissent omnes, tum sacrarum literarum disertissimi interpretes, tum utriusque censuræ consultissimi, denique qui quavis in re, et judicio et oratione viri fœlicibus ingeniis non mediocriter exercitati essent; ac sese sacrosanctis conciliis parere velle, sanctorumque patrum, haudquaquam piis animis violanda, decreta imitari, jurassent; et unusquisque suam sententiam protulisset, atque in utramque partem diffusè decertatum esset; tandem in eam sententiam sic frequentiùs itum est, ut uno omnium ore alma nostra universitas animis sincerissimis, nulloque fermento vitiatis, censuerit jure divino, pariter et naturali, uxorem relictam fratris sui nemini licere accipere. At, postquam id lege eâdem non licet, responsum est, non posse pontificem aliquem eâ lege solvere. Nec huic sententiæ refragari potest, quòd cogeretur olim frater uxorem demortui fratris accipere. Nam hoc figura erat, atque umbra futurorum, quæ omnia, adveniente luce et veritate evangelii, evanuerunt. Hæc, quoniam ita se habent, in hanc formam redegimus, et per notarium, qui nobis est a secretis, signari, sigillique authentici ejusdem nostræ almæ matris universitatis jussimus appensione communiri. Tholosæ, decimo quinto calend. Octob. anno a Christo nato 1530.

No. XXIV.—(*Referred to at page* 202.)

Censura Facultatis sacræ Theologiæ Universitatis Bononiensis in Causâ Divor t ii.

[Rymer, xiv. 393.]

Cum Deus optimus maximus veterem legem nedum ad morum vitæque informationem ac institutionem ore suo tradiderit, idemque, humanitate sumptâ, mortalium Redemptor Deus novum condiderit testamentum, sed ad dubia, quæ in multis emergebant, tollenda declarandaque contulerit, quæ ad hominum perfectionem elucidata nonnihil conferunt, nostras partes semper fore duximus, hujusmodi sanctissimi Patris æterni documenta sectari, et in rebus arduis ac dubitalibus, superno illustrato lumine, nostram ferre sententiam, ubi causa mature consulta, multisque hinc inde rationibus scriptisque patrum dilucidata fuerit, nihil quoad possumus in aliquo temere ferentes. Cum itaque nos præstantes quidam et clarissimi viri obnixe rogarint, ut subsequentem casum maximâ diligentiâ perscrutaremur, nostrumque subinde in eum judicium ferremus

æquissime, soli veritati innitentes, in unum omnes almæ universitatis hujus doctores theologi convenimus, casu priùs per unumquemque nostrum sigillatim domibus propriis examinato, summâque solertiâ per dies plurimos contrectato, illum una mox vidimus, examinavimus, contulimus, ad amussimque singula quæque pertractantes ponderavimus, rationes quasque contrarias, quas fieri posse censuimus, in medium afferentes, atque solventes, etiam ipsius reverendissimi D. D. cardinalis Cajetani, nec non Deuteronomicam dispensationem, de fratris suscitando semine, et reliquas tandem omnes sententias oppositas, quæ ad id negotii facere viderentur. Quæsitum est igitur a nobis, an ex solâ ecclesiæ institutione, vel etiam jure divino, prohibitum fuerit, ne quis relictam a fratre sine liberis in uxorem ducere valeat? Quod, si utrâque lege ne fieri possit, cautum est, an quenquam possit beatissimus pontifex super hujusmodi contrahendo matrimonio dispensare? Quâ diligentissime (ut diximus) ac exactissime seorsim palàmque examinatâ, ac, pro viribus nostris, optime discussâ quæstione, censemus, judicamus, dicimus, constantissime testamur, et indubie affirmamus, hujusmodi matrimonium, tales nuptias, tale conjugium horrendum fore, execrabile, detestandum, viroque Christiano, imo etiam cuilibet infideli, prorsus abominabile, esseque a jure naturæ, divino, et humano, diris pœnis prohibitum; nec posse sanctissimum papam (qui tamen fere omnia potest) cui collatæ sunt a Christo claves regni cœlorum, non inquam posse aliquâ ex causâ super hujusmodi contrahendo matrimonio quenquam dispensare: ad cujus conclusionis veritatem tutandam omnes, in omnia loca et tempora, parati sumus. In quorum fidem, has scripsimus, almæque nostræ universitatis, ac sacri venerabilium theologorum collegii sigillo munivimus, solitâ nostrâ generali subscriptione signantes. Bononiæ, in ecclesiâ cathedrali, sub D. Clementis VII. pontificatu.

Censura Universitatis Pataviensis in Causâ Divortii.

[Rymer, xiv. 398].

Testantur qui catholicam fidem astruunt, Deum optimum maximum legis veteris præcepta filiis Israel ad exemplar vitæ, ac morum nostrorum institutionem, ore proprio tradidisse, eundemque, trabeâ humanitatis indutum Redemptorem omnium factum, novum testamentum condidisse; et nedum propter hoc, sed ad dubia quæcunque emergentia removenda, dilucidandaque, nobis misericorditer condonasse, quæ ad nostri perfectionem enucleata fructus uberes conferant, et salutares. Nostrum semper fuit, eritque per secula (uti Christicolas decet) hujusmodi celebratissima summi opificis instituta sectari; et in quibusque dubietatibus, ac arduis quæstionibus, supernaturali lumine freti, nos-

trum proferre judicium, ubi res ipsa optimè considerata, multisque hinc inde demonstrationibus, atque patrum authoritatibus, maturè declarata fuerit, temerè, quoad possumus, nihil omnino judicantes. Cum igitur nos quidam oratores clarissimi suppliciter exorarint, ut subsequentem casum diligentissimè perscrutari dignaremur, atque nostram ferremus subinde sententiam, soli veritati simpliciter attendentes; quâ ex re omnes hujus almæ universitatis doctores theologi insimul convenimus, re ipsâ priùs per nostrum quemlibet particulariter propriis domibus examinatâ, summâque solertiâ enucleatâ, mox, in unum redacti, cuncta consideravimus, examinavimus, omniaque sigillatim ponderavimus, argumenta quæque contraria, quæ fieri quoquo modo posse putavimus, adducentes, atque integerrime dissolventes, necnon Deuteronomicam dispensationem de fratris suscitando semine, et reliquas omnes rationes, atque sententias oppositas, quæ ad id facere videbantur. Quæstio igitur talis nobis fuit exposita; an ex solâ sanctæ matris ecclesiæ institutione vel etiam de jure divino, prohibitum fuerit, ne quis relictam a fratre, absque liberis, in uxorem ducere valeat. Quod si utrobique fieri nequeat, cautum est, an beatissimus pontifex super hujusmodi contrahendo matrimonio quenquam dispensare legitimè possit? Quo exactissimè (ut dictum est) seorsim publiceque discusso, ac pro viribus dilucidato quæsito, dicimus, judicamus, decernimus, attestamur, atque veridicè affirmamus, matrimoniùm hujusmodi, tale conjugium, et tales nuptias nullas esse, imo detestabiles atque execrandas, Christianoque cuilibet esse profanas, et ut scelus abominandum, crudelissimis pœnis jure naturæ, divino, et humano, clarissimè esse prohibitas; nec beatissimum pontificem, cui claves regni cœlestis a Christo Dei filio sunt collatæ, ullâ ex causâ posse super tali matrimonio contrahendo quenquam juridice dispensare, cum illa, quæ sunt a jure divino prohibita, non subsint ejus potestati, nec in illa gerit vicem Dei, sed solum super ea quæ sunt commissa jurisdictioni hominum. Ad cujus sententiæ conclusionisque veritatem tutandam, et ejusdem certissimam defensionem, nos unanimes semper et ubique parati sumus. In quorum fidem, has nostras fecimus, almæque universitatis nostræ ac sacri reverendorum theologorum collegii sigillo solito communivimus. Datum Paduæ, in ecclesiâ heremitarum S. Augustini, die primo Julii, 1530.

No. XXV.—(*Referred to at page* 204.)

Letter from Lords Spiritual and Temporal, and certain Commons in Parliament, to Pope Clement VII. July 13, 1530.

[Rymer, xiv. 405.]

Sanctissimo in Christo patri, et domino domino Clementi, divinâ providentiâ ejus nominis papæ septimo, osculatis pedibus omni cum humili-

tate, felicitatem precamur et optamus perpetuam, in Domino nostro Jesu Christo. Beatissime pater, tametsi causa matrimonialis invictissimi et serenissimi principis domini nostri, Angliæ Franciæque regis, Fidei Defensoris, et domini Hiberniæ, multis ipsa per se argumentis vestræ sanctitatis opem imploret atque efflagitet, ut illum quàm celerrime finem accipiat, quem nos, summo desiderio, jam diu desideravimus, et longâ, sed hactenus vanâ, spe a vestrâ sanctitate expectavimus, non potuimus tamen committere, ut, rebus nostris regnique statu ex hac litis protelatione in tantum discrimen adducto, omnino sileremus; sed quod regia majestas (nostrum caput, atque adeo anima omnium nostrûm, et in cujus verbis nos, tanquam membra conformia, justâ compagine capiti cohærentia, multâ solicitudine vestram sanctitatem precati, et frustrà tamen precati sumus), id nos literis nostris, doloris gravitate adacti, seorsim et separatim nunc flagitaremus. Sufficere sanè alioqui debuisset causæ ipsius justitia, eruditissimorum virorum calculis passim probata, celeberrimarum academiarum suffragiis judicata, ab Anglis, à Gallis, ab Italis, prout quisque apud eos cæteros eruditione antecellit, pronuntiata et definita, ut sanctitas vestra, etiam nemine petente, et reclamantibus quibuscumque, suo ore suâque authoritate aliorum sententias confirmaret; præsertim cum causæ definitio eum regem, illud regnum respiciat, quod de sede illâ apostolicâ tam multis nominibus bene meritum sit: precibus autem nihil opus fuisset, nisi quatenùs homines doloribus indulgent, et preces non necessarias interdum effundere solent. Cæterùm quum apud sanctitatem vestram nec ipsius causæ justitia, nec beneficiorum acceptorum recordatio, nec optimi principis tam assiduæ et diligentes preces quicquam profecerint, ut obtineatur à vobis quod paternæ pietatis officium exigebat, adauctus supra modum in nobis, miseriarum ac calamitatum recordatione, doloris cumulus singula etiam reipublicæ nostræ membra vocalia facit, et verbis et literis conquestionem edere compellit. Nam quæ tandem infelicitas, ut quod duæ academiæ nostræ, quod academia Parisiensis, quod multæ aliæ academiæ in Galliâ, quod passim doctissimi, eruditissimi, et integerrimi viri domi forisque verum affirmant, et pro vero defendere, tam verbis quàm calamo, se paratos ostendunt, id pro vero non obtineat à sede apostolicâ ille princeps, cujus ope atque præsidio sua stat sedi apostolicæ authoritas, à tam multis, ac populis etiam potentissimis, tam valide impetita, quibus, partim ferro, partim calamo, partim voce atque authoritate, sæpiùs in eâ causâ restitit; et tamen solus illius authoritatis beneficio non fruitur, qui curavit ut esset quâ alii fruerentur. His quid responderi posset non videmus, et malorum interim pelagus reipublicæ nostræ imminere cernimus, ac certum quoddam diluvium comminari, aut, quod diluvio par est, multâ cæde ac sanguine restinctam olim suc-

cessionis controversiam denuò reducere. Habemus enim summis virtutibus principem, certissimo titulo regem, indubitatam tranquillitatem regno daturum, si sobolem ex corpore masculam nobis reliquerit, cujus in vero matrimonio sola spes esse potest: matrimonio autem vero tantum illud nunc obstat, ut quod de priori matrimonio tot docti viri pronuntiant, id utique vestra sanctitas suâ authoritate declaret. Hoc autem si non vult, et, qui pater esse debeat, nos tanquam orphanos relinquere decrevit, et pro abjectis habere, ita certe interpretabimur nostri nobis curam esse relictam, et aliunde nobis remedia conquiremus. Sed ad hoc ne adigamur, sanctitatem vestram oramus ut regi nostro in tam sanctis desideriis adesse, et sine morâ aut dilatione favere velit, vehementer obsecramus ut judicio suo comprobet quod doctissimi viri affirmant, per illam quam nobis ex pastorali officio debet pietatem ex mutuo cordis affectu obtestamur, ne claudantur paterna viscera tam obsequentibus, tam benevolis, tam morigeris filiis. Causa regiæ majestatis nostra cujusque propria est, à capite in membra derivata; dolor ad omnes atque injuria ex æquo pertinet; omnes in ejus majestate compatimur, quibus facile sanctitas vestra mederi posset, nec posset modò, sed ex paternâ pietate deberet; quòd, si vel id non fecerit, vel facere quidem distulerit sanctitas vestra, hactenùs sane conditio nostra erit miserior, quòd tamdiu sine fructu frustra laboratum sit, sed non omni prorsus remedio destituta.

Sunt quidem remedia extrema semper duriora, sed morbum omninò utcunque levare curat ægrotus, et in malorum commutatione nonnihil est spei, ut, si minus succedat quod bonum est, sequatur saltem quod est minus malum, et id temporis etiam cursu facile tolerandum: ista autem ut secum consideret sanctitas vestra, iterum atque iterum rogamus in Domino Jesu Christo, cujus vices in terris se gerere profitetur, idque ut nunc factis conetur ostendere; ut veritatem doctissimorum hominum vigiliis ac laboribus inventam, probatam, et confirmatam, ad Dei laudem et gloriam suâ sententiâ et pronunciatione velit illustrare. Interim verò Deum optimum maximum, quem ipsam esse veritatem certissimo testimonio cognoscimus, comprecabimur, ut vestræ sanctitatis consilia ita informare atque dirigere dignetur, ut, quod sanctum, justum, ac verum est à vestræ sanctitatis authoritate obtinentes, ab omni aliâ assequendæ veritatis molestiâ liberemur.

[The above is signed by two archbishops, two dukes, two marquesses, thirteen earls, four bishops, twenty-seven barons, twenty-two abbots, and eleven commoners.]

No. XXVI.—*(Referred to at page 205.)*

Pope Clement, in answer to the preceding. September 27, 1530.

[Collier, ii. Rec. p. 10.]

CLEMENS PAPA VII.

Venerabiles fratres, et dilecti filii, salutem et apostolicam benedictionem. Multa sunt in vestris literis de xiii° Julii datis, ac nobis superioribus diebus redditis, quæ gravius accepissimus, nisi ea affectui studioque vestro erga charissimum in Christo filium nostrum, regem vestrum, condonanda arbitraremur. Itaque sedato animo ad eas literas respondebimus, tantum ut doceamus quàm immeritò de nobis conquesti sitis, neque oportuisse tantum à vobis tribui privato erga regem sive officio, sive amori vestro, ut nos duobus, ingrati adversus serenitatem suam animi ac denegatæ justitiæ, gravissimis nominibus incusaretis. Nos quidem agnoscimus regem vestrum ea omnia, quæ in vestris literis enumeratis, ac multa etiam plura promeritum, manebitque perpetuò non modo apud nos, sed ad posteros nostros, memoria ejus in sedem apostolicam meritorum. Fatemurque nos non modo pontificiæ personæ, quam gerimus, sed privato nostro nomine tantum serenitati suæ debere, ut nunquam beneficiis parem gratiam relaturi videamur. Sed quod attinet ad controversiam, quæ de matrimonio est, inter serenitatem suam et Catharinam reginam, tantum abest, ut, denegando justitiam, regis spem frustrari voluerimus, ut ultrò ab altera parte tanquam plus æquo in partes majestatis suæ propensi reprehendamur. Sed, ut paulò altiùs perpetuum animi nostri erga regem vestrum tenorem repetamus, cum primùm, tribus fermè abhinc annis, regii oratores ad nos hanc causam detulissent, animi nostri propensionem, potiùs quàm juris rigorem, secuti, commissimus illam dilectis filiis nostris, Thomæ cardinali S. Ceciliæ Eboracensi, in regno Angliæ legato, et Laurentio cardinali S. Mariæ in Trans-Tiberim Campeggio, a nostro latere misso, presbyteris cardinalibus, in regno, atque adeo domi, ipsius regis audiendam et terminandam; satisfecimusque tum, quantum in nobis fuit, serenitatis suæ voluntati. Verùm, cum regina suspectum illud in partibus judicium habere cæpisset, et à gravaminibus, sibi, ut dicebat, per eosdem legatos illatis, ad sedem apostolicam appellasset, procuratoribus etiam ad dictam appellationem prosequendam constitutis, ne tum quidem desiderari passi sumus nostram erga ipsum regem benevolentiam. Nam tametsi causæ hujusmodi appellationis commissio negari non poterat, tamen concordiâ potiùs quam viâ juris terminari hanc controversiam cupientes, omnes moras in commissione dictæ causæ appellationis concedendâ interposuimus, eo prætextu, quòd esset de majoribus causis, meritòque ad consistorium rejicienda. Habitâ verò deinde super hoc cum venerabilibus

fratribus nostris, S. R. E. cardinalibus, aliquoties consultatione, fuit aliquamdiu dilatum negotium: sed tandem unanimi omnium cardinalium voto conclusum est, commissionem causæ appellationis hujusmodi per nos negari non posse. Itaque commissa est, audienda, et subinde in dicto consistorio nobis referenda et terminanda. Nam cum omnibus in rebus considerate procedere debemus, tum in hac potissimùm quæ regias et illustres personas tangit, et in quam totius christianitatis oculos conjectos esse videmus. Post quæ, deinde nullus regius legitimus procurator comparuit, qui, aut scripto aut verbo, de juribus regis doceret; ideoque factum, ut lis adhuc decidi non potuerit; quippe cum ex actis et productis, non ex amore et benevolentiâ, decidenda sit. Quamobrem, nulla causa est, cur nobis ascribatis litis quam dicitis protelationem, de quâ miramur vos queri, cum illam oratores ipsius regis alibi, et præsertim Bononiæ, à nobis petierint et impetrarint, invitissimis quidem et reclamantibus reginæ procuratoribus. Cum itaque nunquam per nos steterit, quin hæc lis, omnibus rebus mature discussis, terminaretur, non videmus quibus rationibus nitatur querimonia vestra; nisi forte id dicitis, tot esse regis erga nos ac sedem apostolicam beneficia, ut quoquo modo in ejus voluntatem causam diffiniri oportuerit; id enim ostenditis satis aperte, cum dicitis, in causâ ab eruditissimis viris, Anglis, Gallis, Italis, ac tot academiarum suffragiis probatâ, et jam nemine petente, ac reclamantibus quibuscumque, sententiam à nobis ferri debuisse. Quâ in re non parum prudentiam et modestiam vestram requirimus. Nam non videmus, quibus rationibus freti postuletis, ut in causâ maximi momenti sententiam feramus, nemine petente, ac cæteris reclamantibus, cum adversa pars continue opponat totius christianitatis scandalum, tot annorum matrimonium ad supplicationem clarissimorum regum Henrici patris ac Ferdinandi Catholici, ex dispensatione hujus sanctæ sedis constitutum; præterea filium extantem et plures reginæ partus; et, adversus opiniones doctorum quas pro vobis allegatis, multorum etiam ipsi doctorum gravissimorumque virorum judicium, et pro se facientia divini juris mandata adducant, argumentis haustis, non modo ex latinis, sed etiam ex uberrimis in hac re Hæbreorum fontibus; nobis tamen in neutram adhuc partem inclinantibus, sed æquas aures præbentibus, cum causam hanc gravissimam et ad totam rempublicam christianam ac posteritatem omnem pertinere existimemus. Nam ex iis, quas pro nobis facere doctorum hominum atque universitatum opiniones scribitis, paucæ admodum venerunt in manus nostras, nobis non legitimè, nec regis nomine, ab oratoribus præsentatæ; illæque nudæ tantum illorum hominum opiniones, nullis ascriptis rationibus cur ita sentiant, nullâque sacrorum canonum et scripturæ, quæ tantum spectare debemus, authoritate subnixæ. Postulare autem, ut, in regis

gratiam, quicquam temerè atque inconsideratè statuamus, nec æquum, nec vestrâ sapientiâ dignum est: nam tametsi multum serenitati suæ debemus, tamen, in judicando, pluris facere cogemur eum, per quem reges regnant, et principes imperant; et veri patris officium est prospicere, ne nimiâ facilitate plus æquo indulgeamus filiis nostris: irretiremus enim non solùm nostram, sed serenitatis suæ conscientiam, immaturâ sententiâ, quæ, non rectè probata, pernicioso universæ christianitati noceret exemplo. Nam quod regno vestro diluvium impendere dicitis, id multo magis timendum esse arbitraremur, si sententiam, quæ rectâ justitiæ viâ ac ratione ferenda est, præcipitaremus, ac nimio erga regem vestrum amore provecti, a justitiâ atque officio nostro discederemus. Masculam autem prolem non vos magis optatis quàm nos serenitati suæ: atque utinam tanto regi similes filios, ac non regni tantum, sed etiam virtutum, hæredes haberet christiana respublica! Sed pro Deo non sumus, ut liberos dare possimus. Quod autem dicitis, nolle nos auctoritate nostrâ secundum veritatem de priore matrimonio declarare quod tot docti viri pro ipso rege pronuncient, vellemus nos quidem omnibus in rebus serenitati suæ gratificari; posse autem ita debemus, ut non destruamus: destrueremus enim si quid contra juris ordinem statueremus, etiamsi oculis nostris exploratissima res esset. Cæterum, quod est in extremo literarum vestrarum, nisi petitionibus vestris satisfecerimus, vos existimaturos vestri vobis curam esse relictam, atque aliunde remedia conquisituros, nec vestrâ prudentiâ nec religione dignum consilium, ab eoque ut abstineatis paternâ charitate vos monemus. Nec tamen ulla medici culpa esset, si ægrotus, curationis impatiens, quicquam in se statuerit, quod adversaretur saluti. Nos quidem, quæ recte ac sine pernicie dari possunt, remedia non denegamus. *Quis enim infirmatur, et ego non infirmor? Quis scandalizatur, et ego non uror? Os nostrum patet ad vos,* filii dilectissimi, et vos ut filios charissimos monemus. Sed nec regem ipsum, cujus causam agitis, probaturum fuisse credimus, ut ita scriberetis: cognitam enim et perspectam habemus ejus probitatem, ut ne ultro quidem oblatum, quod æquum non esset, accepturum fuisse putemus: et tametsi vestrum omnium intercessionem magnifacimus, tamen noster erga serenitatem suam amor non patitur se cujusque cohortatione precibusque excitari: nec meminimus frustrà unquam serenitatem suam a nobis petiise quod cum nostro et hujus sanctæ sedis honore concedere possemus, paremque ostendemus perpetuo voluntatem. Denique, quod ad hanc causam attinet, nos quidem nullam ejus expeditioni moram interponemus, quin cum instructa, et partes auditæ fuerint, terminetur; nobis summoperè cupientibus vestrum regem, et ipsam reginam, nosque ipsos molestissimo hoc negotio liberari. Hoc tantum à serenitate

suâ et devotionibus vestris requirimus, ne plus, ob summa ejusdem regis beneficia, à nobis exigatis, quàm quod sine offensâ Dei persolvere possimus; cum in cæteris omnia à nobis expectare possitis, quæ, habitâ officii, ac personæ quam gerimus, et justitiæ ratione, expectari debent. Datum Romæ, apud S. Petrum, sub annulo piscatoris, die xxvii Septembris, MDXXX.

No. XXVII.—(*Referred to at page* 206.)

A Form of calling the Convocation since the time of the Statutes of Provisors and Appeals.

[Fuller, Ch. Hist. 190.]

Rex, &c.—Reverendissimo in Christo patri A. Cantuariensi archiepiscopo, totius Angliæ primati, et apostolicæ sedis legato, salutem. Quibusdam arduis, et urgentibus negotiis defensionem et securitatem ecclesiæ Anglicanæ, ac pacem, tranquillitatem, et bonum publicum, et defensionem regni nostri, et subditorum nostrorum ejusdem, concernentibus, vobis, in fide et dilectione quibus nobis tenemini, rogando mandamus, quatenus, præmissis debito intuitu attentis et ponderatis, universos et singulos episcopos vestræ provinciæ, ac decanos, et præcones ecclesiarum cathedralium, abbates, priores, et alios electivos, exemptos, et non exemptos, nec non archidiaconos, conventus, capitula, et collegia, totumque clerum cujuslibet diocesis ejusdem provinciæ, ad conveniendum coram vobis in ecclesiâ Sancti Pauli Londini, vel alibi, prout melius expedire videritis, cum omni celeritate accomodâ modo debito convocari faciatis, ad tractandum, consentiendum, et concludendum super præmissis, et aliis, quæ sibi clarius proponentur tunc et ibidem, ex parte nostrâ. Et hoc, sicut nos, et statum regni nostri, et honorem et utilitatem ecclesiæ prædictæ diligitis, nullatenus omittatis. Teste meipso, &c.

No. XXVIII.—(*Referred to at page* 207.)

Despatch from Dr. Bennet to Henry VIII. October 27, 1530.

[Original in my possession.]

Pleasyth yt your hyghnes to understond, that, the thyrd day of thys monthe, Alexander, the curror, arryved here, of whom I recevyd a pacquet of letters from Mr. Welsborn, your hyghnes' ambassator resident yn the Frenche court, and, withyn the same, your gracious letter to my lord of Woorceter,[1] M. Gregori,[2] and to me; and also too doubles, oon of the Frenche kyng's letter to the pope, the other of the Frenche kyng's instructions to hys ambassator resident here. In the same morn-

[1] Jerome de Nugutiis, bishop of Worcester.

[2] Gregorio da Casali.

yng, cardinal Tarbe[1] had takyn hys leve of the pope; and the next mornyng followyng, the pope dyd depart from hens to Hostia. And, at the same tyme, the Frenche kyng's letter to the pope, and hys instructions to hys ambassator here resident war nat cume; whyche was to us a great dyscomfort; for asmoche as we thowght the seyd cardinal woold have departed before the seyd letter and instructions schuld have cume hether, for he was apoynted to have departyd withyn thre dayes after, whois presence, for hys authorite here and favor, that the pope hathe hym yn, myght have helpyd muche to the soner obteynyng of any of the degreis conteynyd withyn the seyd instructions. Wherfor yt semyd to my lord of Woorceter, and to me, good that we schuld, the same nyght that we recevyd your grace's letter, with the foreseyd doubles, conferre with my lord of Tarbe apon al suche thyngs that war conteynyd yn the foreseyd instructions, to thentent that he myght, yn the mornyng next followyng, before the pope's departure, as of hymself, schew unto the pope that he had an inklyng, that the Frenche kyng was utterly bent, and fully determyned, to joyne with your hyghnes yn thys your great cawse, so and after suche schort, that yff hys holynes wuld satisfie your hyghnes yn thys your great cawse, the Frenche kyng woold accept the same as thankefully as thowghe yt war don to hym self; and otherwyse, yn nat satisfiyng your hyghnes, he woold nat alonly take yt for an unkyndnes, but also for an injuri, whyche he woold study to revenge, as thowghe yt had byn don to hym self: And also to schew the pope that the Frenche kyng had wryten to hys holynes yn thys mater, whyche schortly schuld be here. Wherfor the cardinal consideryng the great importance of thys union, betwyxt your hyghnes and the Frenche kyng, schuld, as cardinal and member of thys see, advertyse the pope hereof, to thentent that hys holynes schuld ponder the great importance of thys union, and study to satisfie your bothe desyres, and so to kepe yow bothe yn your old devotion and frendshyp towards hym and thys see: schewyng the comodites that therby myght undowghtydly folow, bothe to hys person and hys see, and to the tranquillite of al chrystyndome. And, on the other syde, yff hys holynes woold nat satisfie your desyres, he schuld schew unto hym, that therby hys holynes schuld utterly lose bothe your frendshypps, wherof moo yllis, inconveniences, and ruinis myght folow, then, at that present tyme, hys holynes myght excogitate. Wyche thyng the seyde Monsr. de Tarbe did, as he seyde, effectuusly. To the whyche, as the seyd cardinal schewed unto us, the pope confessyd unto hym that he saw yt lykely to be trew; and seyde

[1] Cardinal Grammont, better known as bishop of Tarbes. He was made cardinal in 1530.

that he was most sorowful that yt ys nat yn hym to remidiate yt, yn satisfyyng your desyres: seyyng, furdermore, that he wool at al tymes do for your hyghnes, yn thys your great mater, that he may do by the law.

But, as yt chawnced, the Frenche kyng's curror arryved here the vth day of thys present, whyche was the day before the cardinal Tarbe was apoynted to have departed. And, amongst other thynges, he brought a letter to Monsr. de Tarbe from the Frenche kyng, wheryn the Frenche kyng wyllyd hym that he schuld, apon the syght of the same, yff he had byn departed from hens, how farre so ever he had byn yn hys jorney, returne hether, and to present hys letter to the pope, and to sette fourthe suche thynges as are conteynyd withyn the instructions: and that he schuld use no lesse diligence yn thys mater, then yff yt dyd towche hys owne parson.

The viiith day of thys monthe the pope returnyd from Hostia, and came to a place here yn Rome called Saynt Agatha; for, at the same tyme, he cowde nat cume to hys palace, for the great inundation of Tiver, whyche was so great, that yt rane thorow every streyte yn Rome; and yn many streytes yt was a bove ii feydame depe. The xth day of thys monthe, at the whyche the water was so fallen that men myght ryde yn the streytes, the cardinal, the byschop of Woorceter, Conte de Ponte-Rimola, the Frenche kynge's ambassator here resident, and I, went to the pope, and the cardinal presentyd the Frenche kynge's letter to the pope. After the whyche red, the pope seyd that by the same he percevyd the conjunction of the Frenche kyng with your hyghnes, yn thys cawse, to be suche, as he takyth thys cawse to be hys owne, and yn the defence of the same he wul stond, as thowghe the cawse perteynyd al only to hym self: and seyd furder more, that the seyd Frenche kyng desyred hym to graunt suche thynges for the expedition of thys your hyghnes great cawse, as schuld be purposyd unto hys holynes by the seyd Monsr. de Tarbe, and hys ambassator here resident. Then Monsr. de Tarbe purposyd the fyrst degre, whyche was the comission to my lordes of Canterbury, London, and Lyncolne. To that the pope answeryd that we had axid the same before, how be hyt, he sayde, that, yn the lue of the byshop of London, we namyd an other. To the whyche we answeryd, and seyd, Trawythe yt was, whyche was the byshop of Exceter; seyyng furder, that yff hys holynes thowght hym more mete then my lord of London, for the cawse to be comittyd unto, that he woold take hym, and leve my lord of London. Hys holynes made answer and seyde he spake yt not for that purpose. Then my lord of Tarbe sayde that, yn hys opinion, yt was a very resonable peticion, consideryng the extreme age of my lord of Canterbury, and hys sincerite, good counscillence, and gret lernyng: and cheffly that he ys

cheffe of the queny's cowncel, and whow of lykelyod woold favor rather the queni's part than yours, yn hys opinyon. Wherfor yff he schuld be thowght suspectyd to any part, your hyghnes schuld thynke hyt rather suspect then the quene. Your hyghnes, therfor, axyng the cawse to be comyttyd to hym, declaryth to al the woorld the sincerite of your conscience, and that your trust restyth oonly yn the justice of your cawse.—And also [he] schewyd the merits and good qualities of my lordys London and Lincolne; and cheffly ther excellent lernyng, whyche, he seyd, he knew to be trew of hys knowlege. Whyche thynges wel ponderyd, hys holynes schuld, of reason and equite, comitte the cawse unto them, withowt desyre of any part. To thys hys holynes answeryd, that apon thys peticion we had stoud with hym many and sundry tymes before; and to that he had made us an answere; and other answer then that same he cowde nat make us:——Whyche was, for asmuche as the quene had alleged the place suspectyd, he cowde nat comitte hyt thether ageyn withowt her consent: and yff she woold consent unto hyt, he woold most gladly comitt yt thether unto the seyd byshoppes. And to that, other answer Monsr. de Tarbe, nother we, cowde nat gette of hym.

Then my lord of Tarbe descendyd to the second degre, whyche was for the comission to the clergy of the province of Canterbury. And here Monsr. de Tarbe rehersyd the great nomber of the lernyd men that be yn the same, and cheffly schewyng that many of the byshoppes of the same province, and, yn maner, those that be cheffe of them, namyng Rochester, Hely, Bath, Saynt Asse (Asaph), and also many other of the inferior prelates, be of the queni's cowncel, whyche, withowt respect, hathe opinly defendyd the queni's cawse. And also, as yt ys wrytyn before, my lord of Canterbury ys of the queny's cownsel, whyche ys cheff and hedd of the same convocacion; for the whyche, al the woorld may perceve that your hyghnes desyreth not the comission unto them, for ani affection, or trust that they schuld bare unto your cawse, for your hyghnes behalfe, otherwyse then very justice and good conscience shall dryve them unto. To thys the pope sayd, that thys thyng we proposyd unto hym before, many tymes and ofte, to the whyche he had made us answer, and other, he seyde, he cowde nat make;—whyche was the very answer that he made unto the fyrst degre. Then, I seyd, your holynes consideryd nothyng, but that the quene hathe allegyd the place to be suspectyd, whyche, I seyde, ys nat to be had yn consideracion: for the place, of hyt self, ys indifferent, and canne not be suspectyd, onlesse yt be by reason of sume accident, whyche the quene cannot allege, other then your hyghnes' powers and authorite withyn your reame: whyche, I seyde, was nat sufficient to

conclude the place to be suspectyd, except your hyghnes had schewed sume actes of feare agenst them that had byn agenst your hyghnes, for the queni's part, yn thys cawse; whyche, I seyd, that noman lyvyng cowde sey that your hyghnes had schewed to any of them, that wer of the queni's part, any dysplesure, for that they have wryten or spoken for her part; but rather your hyghnes hathe done for sume of them :[1] and here I namyd my lord of Derham. Wherfor I seyde that hys holynes schuld nat make so gret a grounde apon the allegation of the suspition of the place. And furdermore I seyd that hys holynes cowde, nother of reason, nor of justice, hyre the cawse here, nother comitte yt to any other place, then ynto Yngland, by reason of the privileges and custome of that reame, whyche hath byn inviolately observyd, by tyme owte of mynd, to thys day; whyche are, that noman of that reame schuld be conventyd owt of the same, yn any cawse; for that al cawses, that cumyth hether by a pele, are always comittyd thether agen. Wherfor, I seyd yff hys holynes did nat comitte thys cawse thether, he schuld do agenst the prerogatyve, privileges, and custome of the realme, whyche, I seyd, undowghtydly your hyghnes woold nat suffer, beyng sworne to the mayntenance of the same. To that hys holynes answeryd, yff I woold allege the same yn the signature,[2] or yn presence of the part [adverse], I schuld be hard, and schuld have as muche as the law wul. We sayde that thys was the extremite that he myght putte us unto. Then he seyde that he woold do nothyng yn thys mater, but that the law wul, nother for your hyghnes, nother for the Frenche kyng, nother for themperor; and other answer we cowde nat gette of hym. So then Monsr. de Tarbe came unto the thyrd degre, and red the later part of the instructions, *de verbo in verbum*, unto the pope;—whyche was, that yff hys hyghnes woold nat condescend to nother of the too degreis afore seyd, that then, yff your hyghnes shal cume to provide for remedy to thys your great cawse, by suche meanis as your conscience shal judge, beyng conformable and approvable by the lernyd men and universites yn al chrystyndome, that hys holynes woold nat molest nother travail your hyghnes yn hyt directly or undirectly, as by inhibition, censure, interdiction or otherwyse, &c. To thys he seyde, that he woold consulte apon thys yn hys cowncel, and afterwards he woold make us an answer unto hyt. Then Monsr. de Tarbe sayde that yt was very necessary that hys holynes schuld studi

[1] So in the original. He evidently means that Henry "had done" *favours* to some of them.

[2] The Office of the Signature of Justice, or of Grace, to which litigated causes are referred.

to satisfye your hyghnes yn sume of thes degres, or els, he sayde that hys holynes schuld see a gretter ruine yn christyndome, then he hathe seyn hetherto, as he myght clerly perceve by the later ende of the instructions. To that hys holynes seyd, that he woold be most sory to see yt; and, yff yt wer yn hym to remediate hyt, he woold do yt most gladly of any man: and seyd, that yff any suche ruine, sclaunder, and inconvenientes schuld folow, he had lever yt schuld folow for doyng hys dewty, then the lyke schuld folow for lacke of doyng hys dewty; and addyd unto hyt, that he was utterly determined to procede yn thys mater accordyng to justice, and to the order of the law: and repetyd ageyn, that he nether for your hyghnes, nother for the Frenche kyng, nother for themperor, woold transgresse oon hare of justice. And I ensuar your hyghnes he was yn a great fume. How be yt, at the last, he axid a copi of the instructions. My lord of Tarbe seyd that he had no comandment to geve a copie; nother hyt was the maner to geve any copi of instructions, withowt a special comandment. Hys holynes seyd that he woold gladly have a copi of them, that he myght better consult with hys cowncel apon the last degre yn the instructions, and so to make an answer to us of the hole. My lord of Tarbe sayde that he woold be glad at any tyme to rede them to hys holynes or cowncel. Then hys holynes apoynted the second day for an answer; at whyche tyme, by cawse we woold nat geve hym a copie, he seyed he cowde nat then make an answer. Then Monsr. de Tarbe red the instructions unto hym ageyn. And then hys holynes apoyntyd the next day for the answer; at the whyche tyme he had apoynted cardinal Anchona to make the answer yn hys presence, and seyde that, for as muche as those thynges, that we desyred, consistid yn poyntes of the law, he had ordeyned the seyd cardinal to make answer, seyyng that the answer that he schuld make we schuld take yt for hys holynes answer;—whyche was as followyth. Fyrst, he sayde that yff hys holynes cowde persuade the quenis proctors here to consent that the cawse schuld be comittyd, as we desyred, that then he myght do yt withowt grevyng of any part. To that we seyd, yff the quenis agents woold consent unto hyt, we schuld nat nede to make so greate instance for hyt. To the second he seyde yn lyke wyse, consyderyng the quene had alleged the realme suspectyd. To that we replied as ys wrytten before, allegyng the custome withal. To that he answeryd, that we schuld cume to the Sygnature, or Consistory, and allege yt there, and we schuld be hard with as muche favour as myght be lawfully. To that we answeryd that we had no suche proxi so to do. Then he replied ageyn that we myght cume as orators, with a protestacion *de non consentiendo*, &c. To that we answeryd that we had no suche comaundment so to do.

Then he repetyd ageyn, that, yff the pope myght persuade the quenis agentes to consent unto thys comission, hys holynes myght be glad, for he schuld be delyveryd of a great bourdon. And yff hys holynes cowde nat persuade them unto hyt, that then, he seyd, for asmuche as the cawse was advokyd apon cawses allegyd by the quenis part, bothe yn the Sygnature and Consistory, whyche war ponderyd maturely and delyberately, and so comittyd here accordyng to the order of the law, hys holynes cowde nat, at your hyghnes desyre, advoke the cawse ageyn of justice, but by lyke order. To tbat we replied and seyd, the foreseyd advocacion was made, your hyghnes nat beyng called unto hyt; wherfor yt cowde take no effecte yn law. But thys nat withstondyng, we cowde bryng hyt to no other poynt, but the order schuld be kept.

To the thyrd he seyd, that the pope, grauntyng the same, schuld do grevously agenst justice; for the quene axing processe, accordyng to the order of the law, hys holynes cowde nat deny yt unto her, onles he woold denye her justice manifestly, whyche, in thys case, he schuld in no wyse do, considerynge that yt ys a cawse of matrimony, concernyng your hyghnes and the queni's sowlys helthe; being also a sacrament of the churche, and that the knowlege of hyt naturally belongyth unto hys holynes. Wherfor yt schuld be necessary that yn thys cawse he schuld bere hym self upryght bethyxt bothe partis. And so doyng, he dyd but hys dewty: and yn so doyng, what so ever any of the partes schuld do agenst hym, let hym comit hym to God, and God schuld helpe hym.—And thys, yn effect, was hys hole answer.

And whan we saw that we cowd nat proffyte yn none of the sayde degreis, then we practised, by Mons. de Tarbe's meanes, for a furder delay, whom we moved to procure [it] as of hym self: and that he schuld persuade bothe the pope, and themperor's and kyng of Ungrei's ambassators, that yt schuld be very necessary, and cheffly for the queni's helthe, considerynge that yff any processe schuld be made here, at her sute, that therby your hyghnes schuld be gretly irritate agenst her, and to take an occasion to expelle her from your hyghnes' company; whyche thyng don schuld nat lye yn ther power to repayre: whyche thyng Mons. de Tarbe dyd so hernestly, as he seyd, that the seyd ambassators dyd confesse yt to be of trewyth. How be yt, they seyd that they had so streyte comaundment from ther masters to calle apon processe, and have byn so sore rebukyd of them, for that they have sufferyd suche delais, that they dare nat to consent to any delay. How be yt, they seyd they had wryten to the emperor and kyng Fardinando, to know ther plesures yn hyt, and that they lokyd dayly for an answer. Then Monsr. de Tarbe, as of hym self and by hym self, separatly movyd

the pope for to dyfferre the process. The pope seyd he woold most gladly do yt, but he seyd he cowde not do ytwithowt the consent of the part adverse; and seyd furdermore that he he had wryten to themperor that he schuld yn any wyse consent unto a delay, whoys answer he lookyd for dayly. At lengythe, at the great sute of Monsr. de Tarbe, the pope was content to suspend the processe for thre wekes longer, withyn the whyche, the answer myght cume from the emperor bothe to the pope and to the seyde ambassators;—whyche delay the pope had promised to Monsr. de Tarbe the same day that Francys the curror arryved here, whyche was the xviii day of thys monthe; whyche thyng he woold schuld be kept secrete, tyl hys holynes had spokyn with us ageyn, whyche was for no other purpose, bnt to see what resolution we had from your hyghnes by the same curror. And, at our cumming to hys holynes, whyche was the next mornyng after the arryval of the seyd curror, he axid us yff we had any comaundment of your grace, to promis, yn case that any suspensacion of process here schuld be grauntyd, that your hyghnes, duryng the same, woold attempt nothynge there *de facto*. We, considerynge that the delay of iii wekes was promised to the seyde Monsr. de Tarbe, and, withyn the same tyme, the answer myght cumme, by the whyche we myght have a suspension *per aliquot menses*, withowt promisyng aff any thyng of your hyghnes behalf, or withowt any instance to be made for hyt by us, we thowght therfor that yt schuld be more honorable to your hyghnes to have suche a delay, whyche schuld be to that tyme, whyche your hyghnes hathe expressyd yn your last letter, only by them offerd and procured, than any that schuld have ben grawntyd at the promisyng of any thyng, aff your behalf, or by us procured as of our self,—for the whyche we seyd to hys holynes that we had no suche comaundment. With that hys holynes was summwhat altered; yet, for al that, we, considerynge that yt was dowghtful wether the other part woold cumme to the delay or nat, and we beyng suar that the pope woold nat graunt the delay withowt the consent of the other part, woold nat disclose unto hym that we had any suche comaundment; but axid of hys holynes for what purpose he was so desirous to know yt. He seyd, to thentent that he myght wryte ageyn efficacilly to themperor, that he schuld consent. We seyd unto hys holynes ageyn, that he myght, accordyng as he had intendyd, wryte to persuade themperor to hyt, and we woold, yn the mean tyme, wryte unto your hyghnes, to know your plesure yn hyt. And here ageyn we made instance for the comission, accordying to the custome. To the whyche he answeryd as ys afore wryten; and other, he sayde playnly, he woold make none,—not, as he seyd, bycawse he woold nat, but bycawse he cowde nat. Then Monsr. de

Tarbe spake with hym aparte, a good whyle, as he seyd, to have persuadyd the pope, as of hym self, to have a longer delay; and, at hys cummyng ageyn, schewed us that he cowde nat bryng the pope to grawnt no longer delay then thre wekes, addyng unto hyt, that hys holyues seyd that he thowght verely he schuld have suche an answer from themperor, withyn the same tyme, that he may graunt a longer delay: but, nat beyng suar of hyt, he woold nat promise hyt. Then we seyd that the tyme was to schort, for we cowde nat, withyn the same tyme, wryte unto your hyghnes, and have an answer ageyn; and so we schewyd the pope: but yn no wyse we cowde obteyne no farder delay of hym. And after thys, the next day after, Monrs. de Tarbe went unto hym ageyn, to have persuadyd hym to a longer delay; but yn no wyse the pope woold graunt hyt: how be yt, he seyd that he dowghtyd nat but, withyn few dayes, an answer schuld cumme from themperor, and then he trustyd we schuld have a longer delay. And so, the next day after, Monsr. de Tarbe departed hens towards Fraunce.

And, sire, althowgh, before the arryval of the last curror, we had alleged the custome and privileges of the realme, as ys afore wryten, yet, to fulfil your hyghnes comaundment, we went to the pope, and made instance to hym ageyn, for the comission, and alleged the seyd custome ageyn, desyryng hym to ponder yt wel, schewyng that, yff he dyd nat, gretter inconvenientes schuld enschew then he thowght at that tyme. Other answer we cowde nat gette, then we had before. Then we seyd, that, yff hys holynes woold examine thys custome so exquisitly, and seke the reason of hyt, whyche hathe byn usyd by tyme owt of mynd, and now is certayn, he schuld nat do wel; for hys holynes schuld consider how dawngerus yt ys to serche for the reason of suche thynges as hathe byn usyd long, and so takyn for certayn, lest those thynges, whyche are takyn now for certayn, schuld be subvertyd: and also how grevously he woold take yt, yff a man schuld axe of hym the reason why he, beyng byschop of Rome, schuld have jurisdiction yn al other churchys and byschoppes. To that he answeryd and seyd, that he percevyd to what end thys mater woold grow; and seyd, he woold prove better hys jurisdiction, then your hyghnes cowde prove your custome: addyng, yn a great fume, that he woold nat geve us furder audience yn thys cawse of matrimony, but in presence of hys councel. Then I seyde ageyn, that yt war wel done that hys holynes and hys councel schuld wel ponder thys mater; for ther ys nothyng so certeyn yn law, but, by sekyng the reason therof, yt may be made dowghtful; and what inconvenientes may therof folow hys holynes may consider. To that, beyng sore altered, he made hys acoustomable answer, whyche ys, that, yff the woorld schuld ruate, he had lever yt

schuld ruate for doying hys dewty and office, then yt schuld ruate for lacke of doyng hys dewty: seyng furder, that yff any suche ruine or sclawnder schuld folow, he woold accumulate hyt to hys other illis and ynfortunys: and seyd, that oon thyng schuld be hys comfort, whyche ys, that yt schuld nat folow by hys defawte: concludyng with a great vehemence, that, for any thyng that we schuld sey or do, he woold do nothyng yn thys mater, but acordyng to the order of the law, &c. We, seyng hym beyng so sore altered, went no farder with hym, knowyng hys nature suche, that, yff he be browght oons to an obstinaci, that yt wool be very hard to bryng hym from hyt. And I ensure your hyghnes, as farre as I canne perceve, by the knowlege that I have yn hym, that, by pykant woords, your grace shal never obteyne any thyng of hym; nother by thretnyng woords yow shal never putte hym yn any feare, onles your hyghnes or Frenche kyng had an army here yn Itali, as themperor hathe. Then, peraventure, your hyghnes or Frenche kyng myght putte hym yn feare, as now themperor may do, by reason of hys army here. And, sire, I ensuar your hyghnes, that I see verely, that hys holynes wul do nothyng yn thys your great cawse, but by processe accordyng to the order of the law. And from thys I cannot see that yt shal be possible that your hyghnes schal bryng hym. And, on the oder syde, yff your hyghnes' cawse schuld be knowen here now, yt schuld be very dawngerus, stondyng the woorld as yt dothe. How be yt, yff a man myght geve feythe to a man's woordes, the pope wool do that, he may possible by the law, for your hyghnes. And hys woordes sowndyng to that purpose I dyd wryte yn my last letter to your hyghnes; whyche woordes many tymes syns he hathe repetyd unto me, after the affectionatest maner that canne be dyvysyd. And yn lyke wyse, hys holynes hathe don the same to the cardinal Tarbe, whyche ys by those woordes holy persuaded, that hys holynes ys to be trusted yn that behalf. The pope hathe comittyd to my lord of Tarbe certeyn thynges to schew to the Frenche kyng, concernyng your hyghnes' cawse, of the whyche Monsr. de Tarbe takyth a great hope; but what they are my lord of Tarbe woold by no means schew me; seyyng that the pope hathe so streytly comaundyd hym to kepe yt secret; in somuche, that hys holynes comaundyd hym nat to wryte yt, but only to schew yt to the Frenche kyng by mouthe, and that the Frenche kyng schuld sygnifie yt to your hyghnes. The pope schewyd me also that he had geven suche a comission to the cardinal de Tarbe. And, oon day, I was yn hand with hym to have knowen what yt was, and pressyd hym so farre, that oons he was abought to telle me: but sodenly he seyd he woold schew me more an other tyme. And, beyng sore altered

by thys thynges that we have entreated with hym now last, I canne get nothyng of hym. But I conjecture yt schuld be concernyng the resolution of hys councel, apon the dispensation.

Syre, schortly after my cumyng hether, the pope movyd unto me o a dispensation for too wyffis, whyche he spake at the same tyme so dowgtfully, that I suspectyd that he spake yt for oon of the too purposis: the oon was, that I schuld have sette yt foreward to your hyghnes, to thentent, that, yff your hyghnes woold have acceptyd hyt, therby he schuld have goten a mean to bryng your hyghnes to graunt, that, yff he myght dispense yn thys case, whyche ys of no lesse force then your case ys, consequently he myght dyspense yn your hyghnes' case. The other was, that I conjectured that yt schuld be a thyng purposyd to enterteygne your hyghnes yn summe hope, wherby he myght differ your cawse, to thentent your grace schuld trust apon the same. Then I axed hys holynes whether he was fully resolved that he myght dyspense yn the same case? Then hys holynes schewed me no: but seyd that a great dyvine schewed hym that he thowght, for avoydyng of a gretter inconvenience, hys holynes myght dyspense yn the same case: how be yt, he seyd he woold councel farder apon hyt with hys councel. And now, of late, the pope schewed me that hys councel schewed hym playnly that he cowld not do yt.

And as concernyng those thynges that your hyghnes, yn your last letters, comaundyd Mr. Doctor Carne and to me to serche for, we schal nat, by Goddes grace, omitte no labors nor diligence for the serchyng therof: and suche thynges as we schal fynd with al dilygence we schal advertyse your hyghnes therof.

And, Sire, wher now the absence of my lord of Tarbe schal be to us a great lacke, bothe for hys authorite for beyng cardinal, and also for lacke of knowlege of suche thynges as may be entreatyd yn the consistory, and congregation of the cardinals, concernyng your hyghnes cawse,—the knowlege wherof may sumtymes conferre gretly to the advaunsement of your cawses here: consideryng also that ther ys here no cardinal, by whom we may have any suche knowlege, and also that your hyghnes hathe wryten oftyntymes to the pope, in favour of my lord of Woorceter, for the cardinalate, and that the pope ys contentyd, at your highnes' instance, to make hym, yff your grace woold declare your grace's plesure to hys nuncio there, that yt ys your desyre to have hym, as I have wryten to your hyghnes heretofore,—yff therfor yt woold please your hyghnes to schew your plesure to the seyde nuncio, yn that behalf, so that he may certyfye the pope before the next imbryng dayes, whyche schalbe yn December next, he schal undowghtyd be made

cardinal, as the pope hathe promised me; whois promocion schal be gretly to your honor, and profitable to your affayers here. And, for the better expedicion of hyt, yt schal be very good that your hyghnes wryte a letter to the college of the cardinalls:[1] and also to send your comaundment ageyn, to sollicite yt to the pope.

By thys letter, and the other yn Latyn, that my lord of Woorceter hathe wryten, and by me also subscribyd, your hyghnes schal holy understond every thyng that hath byn don, syns the thyrd day of thys present, yn your hyghnes cawse, as God knowyth, whow preserve your hyghnes' most roial astate. And thus most humbly I comend me to your hyghnes at Rome. At Rome the xxvii day of October.

Your most humble subject
and servant,
Wm. Benet.

No. XXIX.—(*Referred to at page* 208.)

A Bull of Inhibition, forbidding any person, or court whatever, to pronounce upon the Cause of the Divorce.

[Le Grand, iii. 531.]

Universis et singulis, præsentes literas inspecturis, salutem et apostolicam benedictionem. Exponi nobis nuper fecit charissima in Christo filia nostra Catharina, regina Angliæ illustrissima, quòd licet aliàs nos, postquam causam, et causas recusationis, ac appellationis, et appellationum, ac validitatis, seu invaliditatis matrimonii, ex dispensatione apostolicâ, inter reginam ipsam et charissimum in Christo filium nostrum Henricum Angliæ regem illustrissimum, et fidei defensorem, multis jam decursis annis, prole susceptâ, contracti, et pacifice continuati, ipsiusque dispensationis, ac inter eos divortii, dilecto filio nostro Laurentio S. Mariæ in trans-Tyberim, et bonæ memoriæ Thomæ S. Ceciliæ, presbyteris cardinalibus, in regno Angliæ, tunc nostris et apostolicæ sedis legatis de latere, omni recusatione et appellatione remotis, per eos in eodem regno cognoscendas, per nos commissas, ab ipsis cardinalibus tunc legatis, ad nos, et sedem apostolicam, prò parte ipsius reginæ interpositæ, et interpositarum, ad ipsius reginæ supplicationem, dilecto filio magistro Paulo Capisucio capellano nostro, et causarum palatii apostolici auditori, per eum audiendas, et coram nobis in consistorio nostro secreto referendas nobis, etiam cum potestate regem ipsum et alios citandi, ac eis, ac dictis cardinalibus et legatis inhibendi, etiam sub censuris, et pœnis etiam pecuniariis, etiam per edictum publicum, constito summariè et extrajudicialiter de non tuto accessu, et aliàs commiseramus,

[1] [Henry adopted this advice. The letter which he wrote is in Collier ii. Records, p. 14; and is dated May 19, 1532.—*T.*]

ipseque Paulus auditor, constito sibi de non tuto accessu, citationem ipsam cum inhibitione, sub censuris, ac decem millium ducatorum auri pœnis, per edictum publicum in certis locis almæ urbis nostræ, et, in partibus, in collegiatæ B. Mariæ Brugensis, Tornacensis diœcesis, ecclesiarum valvis affigendum decreverat, et in eis præmissa legitimè executa, ac dictis regi, et aliis omnibus, ne in præjudicium litis, et jurium dictæ reginæ, interim aliquid innovarent, mandatum fuerat, licet revocatis postea, quoad ipsum regem, pœnis et censuris in inhibitione, ad conquestionem ipsius reginæ, nobis asserentis, ad ejus aures pervenisse, regem ipsum, lite pendente, ac inhibitione, et mandato, sibi factis prædictis non obstantibus, se jactare ad secundas nuptias de facto devenire velle, in ipsius reginæ præjudicium non modicum, ac regis prædicti animæ periculum, cupientes, prout nostro pastorali incumbebat officio, præmissis providere, eidem regi, ac quibusvis utriusque sexûs, etiam illius domesticis, ac etiam consiliariis, secretariis, et aliis cujuscunque statûs, gradûs, dignitatis, et excellentiæ personis, districtè per alias nostras in formâ brevis, sub datâ Bononiæ die septimâ Martii, pontificatûs nostri anno septimo, indixerimus, prohibuerimus, et districtius inhibuerimus, omnem licentiam, potestatem, et facultatem ab eis auferentes, ne sub majoris excommunicationis, suspensionis, et aliis sententiis, et censuris, etiam interdicti appositionis, et ipsarum personarum inhabilitatis, et aliis pœnis, si contra fecissent, incurrendis, ipse rex ne, antequam per debitam, et finalem litis, et causæ hujusmodi expeditionem clarè liqueret, id sibi licere de jure, cum aliquâ muliere cujuscunque dignitatis et excellentiæ, etiam vigore cujusvis dispensationis etiam apostolicæ, sibi, vel eidem mulieri, etiam per nos concessæ, aut desuper quomodolibet obtentæ, vel obtinendæ, matrimonium, vel sponsalia contrahere, vel forsan contracta, et consummata, etiam prole susceptâ, continuare, personæ vero prædictæ ne illis interesse, nec de eis se intromittere, præsumerent; etiam illis ac cardinalibus, legatis, ac aliis quibuscunque inhibendo, ne de prædictis, aut dicto matrimonio comminato, etiam sub nomine legatorum, aut privatim, aut alio quocunque modo præsumerent, prout in iisdem literis plenius continetur: nihilominus, etiam post earundem literarum nostrarum in locis prædictis publicationem, affixionem, et executionem, quod non absque animi nostri displicentiâ intelleximus, adhuc regem ipsum, lite et illius ad nos advocatione, inhibitione, interdicto, prohibitione, et mandatis nostris prædictis non obstantibus, ad secundas nuptias de facto devenire, ac in causâ et causis prædictis etiam per nonnullos prætensos judices, seu personas, in illis partibus procedere, et attentare velle, in non modicum ipsius reginæ præjudicium, ac regis prædicti animæ periculum, nostrique et sedis apostolicæ mandatorum contemptum; quare, pro parte ipsius re-

ginæ, nobis fuit humiliter supplicatum, ut ejus honori, ac ipsius regis animæ saluti, totiusque regni tranquillitati consulere, scandalisque quæ exinde oriri possent obviare, aliàsque premissis opportunè providere, de apostolicâ benignitate dignaremur. Nos igitur attendentes, justis et honestis petitionibus nostrum assensum denegari non debere, hujusmodi supplicationibus inclinati, authoritate apostolicâ, de venerabilium fratrum nostrorum sanctæ Romanæ ecclesiæ cardinalium consilio, pariter et assensu, sub irritantis decreti pœnâ, per hoc nostrum edictum publicum in audientiâ nostrâ contradictarum denuo publicandum, ac earundem ecclesiarum valvis affigendum, cum aliàs præfato Paulo auditori constiterit, ad illud eidem regi intimandum non patere accessum, prout de præsenti non patet, eidem regi, et quibusvis utriusque sexûs, etiam illius domesticis et secretariis, ac ipsius regni, etiam Cantuariensi legato nato, et aliis primatibus, archiepiscopis, episcopis, ac etiam consiliariis à secretis consiliis, parliamentis, universitatibus, collegiis etiam judicum, et aliis quibusvis, cujuscumque statûs, gradûs, ordinis, conditionis, dignitatis, et excellentiæ personis, et judicibus, quocunque nomine nuncupatis, dignitate fulgentibus, et authoritate functuris, districte interdicimus, prohibemus, et districtius inhibemus, omnem omnino licentiam, potestatem, et facultatem ab eis auferentes, ne sub majoris excommunicationis, et suspensionis, ac quorumvis ecclesiarum, dignitatum, feodorum, beneficiorum, officiorum, et bonorum ecclesiasticorum et secularium, ac inhabilitatis ad ea, et quæcuncque alia in posterum obtinenda, latæ sententiæ pœnis, eo ipso, si contra fecerint, vel eorum aliquis contra fecerit, incurrendis, ipse rex ne antequam per debitam et finalem litis, et causæ hujusmodi expeditionem, clare liqueat id sibi licere de jure, cum aliquâ muliere cujuscunque dignitatis et excellentiæ, etiam vigore cujusvis desuper forsan sibi, aut tali mulieri, aut aliàs quemlibet, etiam per nos et sedem prædictam concessæ, vel concedendæ, contrahendi licentiæ, aut contracti approbationis; nec aliqua mulier cum eodem rege matrimonium, vel sponsalia contrahere, vel forsan contracta, et consummata, etiam prole susceptâ, continuare, inhibendo etiam prædictis, vel quibusvis aliis etiam parliamentis, ne de lite, et causâ hujusmodi, et aliis prædictis, ac dicto matrimonio comminato, etiam sub nomine legatorum aut privatim, aut alio quocuncque modo, se intromittant; sed cum, etiam lite pendente, nullus debeat possessione conjugii et debiti conjugalis spoliari, idem rex, ut talem principem et Christianum Catholicum decet, dictam reginam maritali tractet affectione, et litem ipsam coram ipso Paulo legitimè prosequatur, et illius finem suâ solitâ prudentiâ patienter expectet; et propterea, si rex præfatus, vel alii, inhibitioni, prohibitioni, et interdicto hujusmodi con-

travenerit, tale matrimonium, seu sponsalia, ac omnia, et singula, tam per regem, quam personas, parliamenta, universitates, collegia, et judices præfatos, et quoscuncque alios, gesta, et facta, præsumpta, vel attentata, tanquam nulla, irrita, et inania, de similibus consilio et assensu, irritamus, et annullamus, ac prolem ex tali conjugio conceptam, genitam, susceptam, concipiendam, vel suscipiendam, tanquam in malâ fide, et illegitimè, ac ex adulterio natam, illegitimam fore decernimus; regemque ipsum, ac alios omnes supradictos sententias, censuras, et pœnas prædictas, ex nunc, prout ex tunc, incurrisse declaramus, et ut tales publicari, ac publicè nuntiari, et evitari debere, volumus, atque mandamus. Quocirca vobis et singulis vestrum, etiam in dignitate constitutis, sub excommunicationis latæ sententiæ pœnâ, districtè præcipiendo mandamus, quatenus, postquam præsentes ad vos pervenerint, seu vobis præsentatæ fuerint, et commodè poteritis, easdem præsentes literas in dictâ audientiâ contradictarum publicari, et valvis earundem ecclesiarum affigi, et paulisper inde amoveri, et earum copiam collationatam eisdem valvis affixam dimittere, et demum super publicatione, et affixione, et dimissione, publica et authentica instrumenta, manu propriâ notarii, coram testibus, fieri faciatis; et de his omnibus, ac aliis, quæ in præmissis per vos gesta fuerint, nos, seu Paulum auditorem prædictum, certiores reddere curabitis. Nos enim præsentium literarum publicationem, affixionem, et copiæ dimissionem, per vos faciendas, postquam factæ fuerint, eosdem regem et alios supradictos perinde arctare, ac si præsentes, omniaque in eis contenta, eis personaliter intimata, ac illarum copiæ eis datæ, traditæ, et dimissæ fuissent; et nihilominus quicquid per regem, et alios prædictos, et eorum quemlibet contra præmissa factum vel actum fuerit, nullum penitus, et invalidum, nulliusque roboris vel momenti decernimus, non obstantibus, &c.

Datum Romæ, apud S. Petrum, sub annulo Piscatoris, die 5 Jan. 1531, pontificatûs nostri anno octavo.

Sic subscriptum. *Evangelista.*

Item et sic deorsum, die 10 Jan. 1531.

No. XXX.—*(Referred to at page* 208.)

Instructions to Dr. E. Bennet. Dec. 30, 1531.

[Original draft in my possession.]

The said master reparing to Rome, with al convenient diligens, shal, besides the special matur conteyned in these instructions, by al other wayes and meanes that canne be excogitate or divised, practise the delay and putting over of the processe there, untyl such tyme as thempe-

ror be passed in to Spayne. And with the c. An.[1] the king's pleasure is, the said master shal shewe unto him howe his grace taketh it most kindly that the said [2] is soo wel mynded to do him gratuite in this matur, and that the recompense therof shal not oonly be procured with the French king, as hath been devised with breve effecte to ensue, but also his highnes, if any benefite ensue, wil soo further remembre it with a princely rewarde, as he shal rejoyce in his labour employed for the same. And this offre the king's highnes maketh unto him, not to corrupte him, whose integrite, his grace knoweth wel, neyther wold admitte it, ne his highnes' honour, most addicte to truth and justice, wold be persuaded soo to doo; but oonly to animate and encorage him to defende and susteyne the truth, and to let and empech such injurye and wrong, as is enterprysed against his highnes, in this his grace's matur. And herin the said master Benet shal saye, that, if the said cardinal coulde, by his polyce, compasse the courte therin, in such wise as the same might staye from giving sentence, untyl such tyme as themperor shalbe passed in to Spayne, the king's highnes wold accepte and take his doing in lieu of a gret benefite. And if the said [cardinal] may dissuade the disclosing of the resolution taken in the Rote, and first move that, for the discharge of their judges, eyther those of the courte, or other, repare to Avynion, as to a place indifferent, there to make processe; wherin thought they satisfay not al, yet they shal satisfye summe that saye it shuld soo be; for that, in private menne's causes it hath soo been observed *ubi est perhorrescencia;* and this shuld diminish a gret peace of the slaunder. And if the cardinal shal mak difficultie herin, for fere of disclosing himself to be for the king's parte, soo as in noo wyse he canne stop the relation of the Rote, then the said master Benet shal devise with him for stopping and letting the processe from geving of a sentence; wherin a chief and material point to be persuaded unto them of that courte [is], that, though the king's highnes be *contumax*, yet they must *remorari processum eorum:* and soo to bring to ther remembraunce the processe made here in England by two cardinalls, by virtue of a comission and legation from Rome. Soo as nowe that is parte of ther actes, and is of the same cause, which not seen, vieud, and considred, they canne procede to noo vaylable ne honnorable sentence; for the king's highnes' contumacie, as they cal it, doth not a'tre the right, ne discharge ther diligence, for so moch as they may knowe, —and they may knowe that, which is in the processe made by ther auctorite. Wherfor the said cardinal shal saye, it shalbe necessary that

[1] Perhaps the cardinal Ancona, who is mentioned in Bennet's despatch of Octob. 27. [2] This blank is in the original.

they sende for the said processe, and consider the matur allege in the same, lest ther sentence disagree from the acts therof, which shuld engendre a gret infamye, to ther slaunder and dishonnor. And this matur the king's highnes thinketh the said cardinal might speke with his honnor, and by this meanes prolonge and put over the processe of the matur, which the king's highnes wyl tak most acceptably. And if this movith them, as it aught to doo, thenne may there be wonne vi monethes, at the lest, to sende for the said processe, besides the tyme of disputacion there, upon the contents of the same.

The said master Benet shal also, with like reasons and persuasions, sollicite the cardinal Farnesius, de Monte, the cardinal de Trivulce, and such other cardinal as shal favor the French peradventure; unto whom he shal also have lettres from the French king and the cardinalls in Fraunce.

And where there is delyvered unto the said master Benet two wrytinges, signed with the king's hande, auctorising him to make promise of bishopriches and promotions, as is conteyned in the same, the said master Benet shal use himself with wisedom and dexterite, and deale with them soo assuredly, as they delude not his promyses in that behaulf.[1]

Henry VIII. to Gardiner, bishop of Westminster, ambassador in France. Feb. 9, 1532.

[Extract from the Original, in my possession.]

Henry R. By the King.

Right reverende fader in God, right trusty, and right welbeloved, we grete you well; and have received your sundry lettres of the xxviith and the xxviiith daies of Januarye, declaring aswel your mynde and advise, towching our proxy sent unto Rome by Mr. Bonner, as also the delaies and impedimentes of your so long abode ther, without any resolucion, or communicacion had with the king our brother, or his counsail, concernyng the materiall poyntes of your charge * * * * ffor the whyche your diligent advertisement in the premisses we give unto you our most herty thankes: advertising the same, that, as touching the said proxy, noting and approving veray moche your singuler wisdome, sincerite, and judgement, in the defaultes therof, and conferring and debating the same with our lerned counsail, we have not

[1] [Burnet (i. Rec. 103) has printed a document, from the original, in Bennet's own handwriting, by which that agent undertakes, on the part of his master, and in the hope of future services, that the cardinal of Ravenna shall be provided with benefices in France of the annual value of 2000 ducats; that he shall have the first vacant bishopric in England; and that, if such first vacant bishopric be not that of Ely, he shall have the option of being translated to Ely so soon as it shall become vacant.—*T.*]

thought it moche necessary to altre any thing therin, for this tyme, but to differ the declaracion of our further pleasure in that behalf, untill your retorne unto us, and unto suche tyme as we shalbe advertised from Rome, whether they shall doubt any thing ther of the sufficiencye of the said proxy, or noo. Ffor our said counsail here affirmyth unto us, that, nothwithstanding the protestacion, and that no mencion is made *de causâ principali*, neither that the instrument is sealed with our oun seale, yet ther is no cause why they may lawfully rejecte the same. Our counsail saith that they at Rome may peradventure doubt of the validite therof; albeit, to remove that doubt, they say that the proxy, sent at ester last, being sealed with our oun seale, is sufficient ynough. And, in cace it be not, they farther say, that they ther be bounde to signifye again unto us the causes of thair said doubt, to be opened and declared agayn by us, before they shall procede any farder; whiche delay of tyme we think can be nothing prejudiciall to our cause, but rather to serve and conduce to the singuler benefite of the same.

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Yeven undre our signet, at our manor of Grenwich, the ixth daye of Ffebruary.

No. XXXI.—(*Referred to at page* 209.)

Henry VIII. to Dr. Edward Foxe and Sir Francis Bryan, his Ambassadors in France. July 10, 1532.

[From the original draft in my possession.]

Trusty and right welbeloved we grete youe wel; leting youe wit, that, sending this curror to Rome with an expedition to Rome, conteyning our desire in certain requests to be made to the pope, for the spedy determinacion of our cause, we have thought good to sende unto youe herewith a copye of the said depech, to thintent ye, riping your self in the same, might, conformably unto the same, labour and sollicite with our derest brother, the king, and his counsail, theffecte of the same. Wherfor ye shal understande howe in our said lettres, which, desiryng thadvice and counsail of the Frensh king, we write in cipher to Doctor Benet, our subget, be conteyned sixe several articles.

The first is the declaration of the injuries by the pope doon unto us, in cyting us to Rome, and not admitting Kerne to allege such matier as served for our defense. Wherin ye have alredy spoken to the French king and his counsail there, who, as ye have wryten unto us, and specially the chauncelor, doo agree unto the same.

The seconde is concerning the final decision and judgement to be geven in our cause, wherin we make fyve degrees, as ye shal perceyve in our said lettres, with reasons and persuasions to induce the pope to condescende unto the same; according wherunto our pleasure is, ye make overture to our derest brother and the chauncelor, and soo to procure ther lettres to ther ambassadors at Rome, to set forth the same with the pope, and therupon youe to geve advertisement therof to our ambassadors there accordingly: forseing alwaies that ye disclose nothing there, eyther of any promyse to be made by the pope in wryting, as is conteyned in the first degree, *ne of money to be offred unto him by us.*[1]

The thirde article is concerning the mariage betwen the Duke of Orliaunce and the pope's niepce, wherin, as youe may perceyve in our said lettres, we advertise Doctor Benet, he speke nothing concerning that matier, but upon advertisement from youe of the French kingis good contentement in that behaulf. Wherfor our pleasure is, that, as we willed our secretary to wryte unto youe, first ye do the best ye canne, to knowe in what termes that mariage is, and therupon shewing to the French king what we entended to set forth for the conducing of that matier, to knowe howe he liketh the same, and therupon youe to write to Doctor Benet, as in our said lettres to him is specified ye shuld doo, to thintent he may make overture, or forbere to speke therof, according to our instructions in that behaulf.

The iiiith is concerning the changing of the pope's ambassador, wherin ye have nothing to saye there, but as occasion schal serve to say he is a Sicilian, and oon who is al addicte to themperor.

The fifte is towching the promyse of the pope, writen by youe of the French king's mouth, that he wil never geve sentence against us; which matier our pleasor is ye speke of there, in such wise, as ye thinke it may doo good and noo hurte.

The sixte is, to let the entended meting betwen the pope and themperor, wherof is a gret brute in Flaunders: wherin our pleasor is, ye attempte to enserch if any knowlege be therof in that corte, and howe our good brother and his counsail take that matier: with whom our pleasure is, ye utterly persuade, by summe practises, to interrupte the said meting, as wherof shal ensue themperor's estimacion, with comodite there to practise such thyngs with the princes of Italy, as may hindre thexecution of that which might hereafter conferre to the

[1] [If Henry expected to succeed in bribing the pontiff, he was speedily undeceived. In a despatch dated September the 22d, Bryan and Foxe tell the king, that they have just heard from Bennet, and "that lytyll ffavor ys to be lokyd for at the popys handys." Original in my possession.—*T.*]

French king's benefit, his heyres and successors. And for letting of the said meting, it semeth us the practise of this mariage renewed, and summe abbey conferred to the cardinal de Medicis, with an overture of a mariage for Duke Alexander, soo as the pope might perceyve a desire to enterteyne his holines' familie, these matiers, with mocion of a meting at Avinion, might facylly worke a disapoyntement of such meting, betwen themperor and the pope, be it alredy never soo ernestly entended, as we cannot thinke it is.

No. XXXII. *(Referred to at page* 213.)

Cranmer's Protestation, in the Chapter-house at Westminster, before his Consecration.

[Regist. Cranm. fol. 4.]

In Dei nomine, Amen. Coràm vobis autenticâ personâ, et testibus fide dignis hic præsentibus, Ego, Thomas, in Cantuariensem archiepiscopum electus, dico, allego, et in his scriptis palàm, publicè, et expressè protestor, quòd, cum juramentum, sive juramenta, ab electis in Cantuarienses episcopos summo pontifici præstari solita, me, ante meam consecrationem, aut tempore ejusdem, pro formâ potiùs, quàm pro esse aut re obligatoriâ, ad illam obtinendam, [præstare] oporteat, non est, nec erit, meæ voluntatis aut intentionis per hujusmodi juramentum, vel juramenta, qualitercumque verba in ipsis posita sonare videbuntur, me obligare ad aliquod, ratione eorundem, posthàc dicendum, faciendum, aut attemptandum, quod erit, aut esse videbitur, contra legem Dei, vel contra illustrissimum regem nostrum Angliæ, aut rempublicam hujus sui regni Angliæ, legesve aut prærogativas ejusdem: et quòd non intendo, per hujusmodi juramentum aut juramenta, quovis modo me obligare, quominus libere loqui, consulere, et consentire valeam, in omnibus et singulis reformationem religionis christianæ, gubernationem ecclesiæ Anglicanæ, aut prærogativam coronæ ejusdem, reipublicæve commoditatem quoquo modo concernentibus, et ea ubique exequi et reformare, quæ mihi in ecclesiâ Anglicanâ reformanda videbuntur: et secundùm hanc interpretationem, et intellectum hunc, et non alitèr, neque alio modo, dicta juramenta me præstaturum protestor et profiteor. Protestorque insuper, quodcumque juramentum sit quod meus procurator summo pontifici, meo nomine, antehàc præstitit, quòd non erat intentionis aut voluntatis meæ sibi aliquam dare potestatem, cujus vigore aliquod juramentum meo nomine præstare potuerit, contrarium aut repugnans juramento per me præstito, aut in posterùm præstando, præfato illustrissimo Angliæ regi. Et casu quo aliquod tale contrarium aut repugnans juramentum meo nomine præstitit, protestor, quòd illud, me inscio, et absque meâ authoritate, præstitum, pro nullo et invalido

esse volo: Quas protestationes in omnibus clausulis et sententiis dictorum juramentorum repetitas et reiteratas volo, à quibus per aliquod meum factum, vel dictum, quovis modo recedere non intendo, nec recedam; sed eas mihi semper salvas esse volo.

No. XXXIII.—(*Referred to at page* 217.)

A Letter of Pope Clement VII. to King Henry VIII.

[Le Grand, iii. 558.]

Charissime in Christo fili noster, salutem et apostolicam benedictionem. Magno sumus in dolore, quòd serenitatem tuam, quam, semper antea, pientissimum filium nostrum, et hujus sanctæ sedis perspeximus, et omni tempore de nobis bene meritum fuisse recordamur, ab hoc tamen biennio proximo citò immutatam esse sine rationabili causâ videmus; cum tamen nos (id quod verissime dicere possumus) nihil erga eam, neque in affectu, neque in respectu amantissimi patris, immutati fuerimus. Multò autem majori angimur molestiâ, quòd pastorali officio aûducti, et justitiæ ratione adstricti, quicquam agere et decernere cogimur, quod serenitati tuæ displiceat, cui sane semper placere et satisfacere desideramus. Verum quid agemus? Negligemusne justitiam, et animæ tuæ salutem? An potius privatos affectus tuos, nostrosque, publicis rationibus et divinæ voluntati anteferemus? Sic decet, fili, sic potius fiat a nobis: nec tam quid in præsens te juvet, quam quid tuo honori, officio, justitiæque conveniat, perpendamus. Veniet enim tempus, veniet, nec longum erit, sicut in Domino confidimus, cum tua serenitas, hoc nubilo erroris, quo nunc obducitur, depulso, restitutâque sibi luce veritatis, veterem nobis benevolentiam suam, quam maximi facimus, restituet, fateberisque, id quod est, nos ex publicâ personâ nostrâ nihil aliud facere, quàm quod facimus, potuisse; imo etiam indulgentiores aliquando fuisse, quàm justitiæ severitas expostulat. Potes enim, fili in Christo charissime, meminisse, cum tu abhinc quadriennio a nobis studiosè contendisses, ut legatum nostrum in regnum tuum mitteremus, eique et alteri legato, tunc in tuo eodem regno existenti, causam validitatis matrimonii inter te et charissimam in Christo filiam nostram Catharinam, Angliæ reginam, olim contracti, ac per viginti annos et ultra continuati, committeremus; nos, etsi id subiniquum videbatur, causam ad preces tuas in tuo regno committere, tamen tuæ voluntati morem gessimus, ac tamdiu eandem causam ibi manere permisimus, donec pro parte reginæ appellato, juramentoque horrescentiæ præstito, causam eandem, non in regnis, aut dominiis nepotum reginæ, aut aliis, in quibus regina potior favoribus esset, verum Romæ, in communi orbis Christiani patriâ, atque in nostro

rotæ auditorio commisimus, nobis postea, et sacro collegio venerabilium fratrum nostrorum S. R. E, cardinalium, referendam, ac a nobis, et dictis cardinalibus decidendam ; quo pendente judicio, cum tu nihil innovare, vel attentare in prejudicium litis pendentis debuisses, ecce nobis, non solum ipsius reginæ lamentabili querelâ, verum etiam multorum literis et testimoniis affertur, te, non expectatâ ulteriore nostrâ declaratione, ipsam reginam a tuâ cohabitione separasse, et quandam Annam in tuum contubernium et cohabitationem publicam recepisse. Quæ res, cum divinam justitiam, litispendentiam, et authoritatem nostram, tuæque animæ salutem, et honorem læderet, nos paterno affectu et charitate literas ad te dedimus tenoris subsequentis.

Clemens papa VII. Charissime in Christo fili noster, salutem et apostolicam benedictionem. Quod pro nostrâ in te benevolentiâ, tuoque honore, et salute, falsum esse cupimus, relatum nobis est, et a multis confirmatum, serenitatem tuam, quæ non solum antea, verum etiam post motam litem inter te et charissimam in Christo filiam nostram Catharinam, Angliæ reginam illustrissimam, super validitate matrimonii inter vos contracti, eam apud se, ut decebat, in suâ regiâ curiâ tenuerat, atque ut reginam et uxorem habuerat, et tractaverat, a certo citra tempore, eam non solum a se et suâ curiâ, sed etiam a civitate, seu loco suæ residentiæ separasse, alioque misisse ; loco autem ejus, quandam Annam in suum contubernium, et cohabitationem, publice recepisse, eique maritalem affectum uxori tuæ debitum exhibere. Quæ res, fili charissime, si modo vera est, tuque parumper animum ab humanis affectibus collegeris, non dubitamus quin, etiam tacentibus nobis, perspecturus sis, quàm multis modis indigna te fuerit, vel ob contemptum litispendentiæ, et judicii nostri, vel ob scandalum ecclesiæ, vel ob communis pacis perturbationem ; quæ omnia ita a recto et religioso principe, qualem te semper habuimus, aliena sunt, ut tanquam tuæ naturæ et consuetudini repugnantia, etsi nobis in dies magis confirmantur, difficilius tamen credamus. Quid enim minus tibi et tuæ probitati convenit, quàm hinc apud nos, per oratores et literas, super causâ isthuc remittendâ instare, inde teipsum tuo facto causam decidere? Quid simile tui, armis et scriptis olim ecclesiam et sanctam fidem defendisse, nunc tali facto ecclesiam videri contemnere? Jam vero communis salus et tranquillitas à nullo unquam nostri temporis rege acriùs, quàm à te, custodita est, qui bellum pro ecclesiâ olim susceptum, et gloriosè confectum, pro communi quiete deposueris, semperque arbiter quidam pacis et communis concordiæ inter Christianos principes conciliandæ fueris existimatus : quo magis hæc nova de te audientes admiramur, simul ac dolemus, unum hoc tuum factum, si modo verum est, ab omni vitæ tuæ gloriâ et con-

suetudine discrepare. Quamobrem, cum nec rem tantam non explorare certius, nec neglectam omittere debeamus, hanc ad te, quasi amantis et solliciti patris vocem, præcurrere voluimus, antequam judicis ullas partes tecum sumamus. Faciunt enim tuæ celsitudinis dignitas, vetera tua in nos merita, nostraque ex his erga te benevolentia, ut tecum omni respectu et lenitate agere velimus, sumptâ parentis personâ, et judicis tantisper depositâ, donec ex tuis literis consilium progrediendi capiamus. Cupimus quidem, fili, ut diximus, hæc penitus falsa esse, aut non tam aspera, quæ nobis referuntur; teque ipsum deinceps, pro tuâ singulari sapientiâ, providere, ne cuiquam de serenitate tuâ, omni virtute conspicuâ, in hoc tantùm obloquendi detur occasio. Si quis enim vel ex Catholicis dolens, vel ex hæreticis gaudens, audiat, te reginam, regumque filiam, Cæsarisque et regis Romanorum materteram, quam in uxorem accepisti, viginti amplius annis tecum commoratam, prolemque ex te susceptam habentem, nunc a tuo thoro et contubernio procul amovisse, aliam quoque publicè apud te habere, non modo sine ullâ licentiâ nostrâ, verum etiam contra nostram prohibitionem, is profectò necesse est, ut sententiam quodammodo de optimo principe ferat, tanquam ecclesiam et publicam tranquillitatem parvi faciente; quod nos fecimus ab intentione et voluntate tuâ longissimè abesse: in tantum, ut si quis alius hoc idem in tuo regno audeat, quod à tuâ serenitate factum dicitur, nullo modo te probaturum, sed etiam severe vindicaturum, pro certo habeamus. Quamobrem, fili, etiamsi tu rectissimè sentias, ut nos quidem constantes credimus, tamen causam præbere rumoribus et scandalis non debes; hoc præsertim tempore, tam calumnioso plenoque hæresum, et aliarum perturbationum; ne tuum factum latiùs pateat ad exemplum. Sunt enim facta regum, præsertim illustrium, sicut tua serenitas est, proposita, quasi in specula hominibus cæteris ad imitandum. Nec præterea negligenda tibi est communis salus, et totius Christianitatis tranquillitas, quod semper fuit optimorum regum. Nec, fili, debes serenissimos Cæsarem et Romanorum regem dictæ Catharinæ reginæ nepotes, nullâ te prosecutos contumeliâ, hac tam gravi injuriâ, indecisâ lite, afficere, et exinde pacem perturbare universalem, quâ solâ adversus imminentem nobis Turcam tuti sumus; ne scandali in ecclesiâ periculi, in totâ Christianâ republicâ occasionem præbeas, proptereaque rex cœlestis, a te irritatus, tantam suam erga te benignitatem aliquâ severitatis amaritudine permisceat. Te igitur, fili, per eam, quâ semper te sumus prosequuti benevolentiam, semperque, si per te liceat, prosequemur, omni studio et amore hortamur et paternâ charitate monemus, ut, si hæc vera sint, quæ tuam veterem pietatem et gloriam denigrant, tute ea corrigere velis, ipsam Catharinam reginam ad te humaniter revocando, atque in eo reginæ honore,

et uxoris quo decet affectu apud te habendo ; ipsam vero Annam a publico tuo convictu, et cohabitatione, propter scandalum removendo, donec nostra sententia inter vos subsequatur : quod nos quidem, etsi est a te debitum, tibique est maxime futurum honorificum, beneficii loco recepisse a tuâ serenitate videbimur. Nam, quòd te in pristinâ tuâ voluntate erga nos, observantiâque erga hanc sanctam sedem, cum quâ mutuis officiis et beneficiis semper certasti, conservare maxime cupimus, summo sane cum dolore ad ea descenderemus juris remedia, quorum necessitatem non nostra privata contumelia, quam tibi libenter condonaremus, sed Dei Omnipotentis honor, publicæque utilitatis, et tuæ animæ salutis ratio ad postremum nobis, quamquam invitis, imponeret : sicut etiam nuntius apud te noster hæc tuæ serenitati uberius explicabit. Datum Romæ, apud S. Petrum, sub annulo Piscatoris die 25 Jan. anno 1532, pontificatûs nostri anno nono.

Cum autem, id quod dolentes referimus, indies magis nobis confirmetur, et asseveretur, licet ipsæ literæ tibi per nuntium nostrum repræsentatæ, ejusque conformis sermo in idem te, nostro nomine, hortatus fuerit, ut a tanto scandalo et contemptu ecclesiæ desisteres, nihilominus te in separatione cohabitationis cum Catharinâ reginâ, et continuatione cohabitationis cum Annâ prædictis, publice perseverare ; nos, cum neque Dei honorem, nec nostrum officium, nec tuæ animæ salutem negligere debeamus, te, fili, sine tamen tuorum jurium et causæ pendentis præjudicio, iterum hortamur, et sub excommunicationis pœnâ monemus, ut, si prædicta vera sint, eandem Catharinam reginam apud te in reginali honore, ac solitâ cohabitatione habere, ipsam vero Annam a publicâ cohabitatione tuâ rejicere, intra unum mensem, a die præsentationis præsentium tibi factæ computandum, debeas, donec nostra sententia, et declaratio, inter vos fuerit subsequuta. Aliter enim nos, dicto termino elapso, te et ipsam Annam excommunicationis pœnâ innodatos, et ab omnibus publicè evitandos esse ex nunc, prout ex tunc, et è contra, authoritate apostolicâ, declaramus : et nihilominus, tametsi abhorret animus talia de serenitate tuâ opinari, licetque id ipsum jam serenitati tuæ a nobis nostroque rotæ auditore et judice, cui hujusmodi causa fuit commissa, inhibitum fuerit, et ab omni, tam humano, quàm divino, jure etiam prohibeatur, tamen permoti hominum famâ, denuo serenitati tuæ inhibemus, ne, lite hujusmodi coram nobis, et dicto rotæ auditore, indecisâ pendente, et sine sedis apostolicæ licentiâ speciali, matrimonium, cum dictâ Catharinâ reginâ, apostolicâ authoritate contractum, et prole subsequutâ, tantoque temporis spatio confirmatum, propriâ authoritate separare, aut divortium cum eâ facere ; neve cum dictâ Annâ, aut quâvis aliâ, matrimonium contrahere præsumas ; irritum, prout est, denuo de-

cernentes, si quid forsan attentari, super hoc, a tuâ serenitate, aut quovis alio, quâvis authoritate, contigerit, vel forsan hactenus fuerit attentatum; sicque à quibusvis judicibus tam extra Romanam curiam, quam in eâ, etiam S. R. E. cardinalibus, et dicti palatii auditoribus, sententiari, definiri, judicari, et interpretari debere: sublatâ eis omnibus sententiandi, definiendi, judicandi, et interpretandi facultate; non obstantibus, &c. Datum Romæ apud S. Petrum, sub annulo Piscatoris, die 15 Novembris, 1532, pontificatûs nostri anno nono. *Sic scriptum in calce partis interioris ejusdem brevis,* "die 23 Decembris, 1532." *Suprascriptio autem præfati brevis a parte exteriori talis erat:* "Charissimo in Christo filio nostro Henrico, Angliæ regi illustrissimo, fidei defensori."

No. XXXIV.—(*Referred to at page* 220.)

A definitive Bull of Clement VII., declaring the Marriage between King Henry VIII. and Queen Catherine to be valid.

[Le Grand, iii. 636.]

Christi nomine invocato, in throno justitiæ pro tribunali sedentes, et solum Deum præ oculis habentes, per hanc nostram definitivam sententiam, quam, de venerabilium fratrum nostrorum, sanctæ Romanæ ecclesiæ cardinalium, consistorialiter coràm nobis congregatorum, consilio et assensu, ferimus in his scriptis, pronuntiamus, decernimus, et declaramus, in causâ, et causis, ad nos et sedem apostolicam, per appellationem, per charissimam in Christo filiam Catharinam, Angliæ reginam illustrem, a nostris et sedis apostolicæ legatis, in regno Angliæ deputatis, interpositam, legitimè devolutis et advocatis, inter prædictam Catharinam reginam, et charissimum in Christo filium Henricum VIII., Angliæ regem illustrem, super validitate matrimonii inter eosdem reges contracti et consummati, rebusque aliis in actis causæ et causarum hujusmodi latius deductis, et dilecto filio Paulo Capisucio, causarum sacri palatii tunc decano, et, propter ipsius Pauli absentiam, venerabili fratri nostro Jacobo Simonetæ, episcopo Pisauriensi, unius ex dicti palatii causarum auditoribus locum tenenti, audiendis, instruendis, et in consistorio nostro secreto referendis, commissis, et per eos nobis et eisdem cardinalibus relatis, et maturè discussis, coram nobis pendentibus, Matrimonium inter prædictos Catharinam et Henricum Angliæ reges contractum, et inde sequuta quæcunque, fuisse et esse validum et canonicum, validaque et canonica; suosque debitos debuisse et debere sortiri effectus, prolemque, exinde susceptam et suscipiendam, fuisse, et fore legitimam: Et præfatum Henricum, Angliæ regem, teneri, et obligatum fuisse, et fore, ad cohabitandum cum dictâ Catharinâ reginâ,

ejus legitimâ conjuge, illamque maritali affectione, et regio honore tractandum : Et eundem Henricum, Angliæ regem, ad præmissa omnia, et singula, cum effectu adimplendum, condemnandum, omnibusque juris remediis cogendum, et compellendum fore, prout condemnamus, cogimus, et compellimus ; molestationesque, et denegationes, per eundem Henricum regem eidem Catharinæ, super invaliditate ac fœdere dictii matrimonii, quomodolibet factas et præstitas, fuisse et esse illicitas, et injustas : Et eidem Henrico regi super illis, ac invaliditate matrimonii hujusmodi, perpetuum silentium imponendum fore, et imponimus ; eundemque Henricum, Angliæ regem, in expensis in hujusmodi causâ pro parte dictæ Catharinæ reginæ, coram nobis et dictis omnibus legitimè factis, condemnandum fore, et condemnamus ; quarum expensarum taxationem nobis in posterùm reservamus. Ita pronuntiavimus. Lata fuit hæc sententia definitiva Romæ, in palatio apostolico, publicè in consistorio, die 23 Martii, 1534.

No. XXXV.—(*Referred to at page* 223.)

Form of an Oath to be taken to the Issue of Henry and Ann Boleyn.

[Stat. 26 Hen. VIII. cap. 2.]

Ye shall swear to bear faith, truth, and obedience all only to the king's majesty, and to his heirs, of his body of his most dear and entirely beloved lawful wife queen Ann begotten, and to be begotten ; and further, to the heirs of our said sovereign lord, according to the limitation in the statute, made for surety of his succession in the crown of this realm, mentioned, and contained, and not to any other within this realm, nor foreign authority, or potentate. And in case any oath be made, or hath been made by you, to any person or persons, that then ye to repute the same as vain and adnihilate ; and that to your cunning, wit, and uttermost of your power, without guile, fraud, or other undue mean, ye shall observe, keep, maintain, and defend the said act of succession, and all the whole effects and contents thereof, and all other acts and statutes made in confirmation, or for execution of the same, or for any thing therein contained. And this ye shall do against all manner of persons, of what estate, dignity, degree, or condition soever they be ; and no wise do or attempt, nor to your power suffer to be done or attempted, directly or indirectly, any thing or things, privately or apertly, to the let, hinderance, damage, or derogation thereof, or of any part of the same, by any manner of means, or for any manner of pretence. So help you God, and all saints, and the holy evangelists.

No. XXXVI.—(*Referred to at page* 225.)

A Bull dated anno 1538, *reciting the former Bull of* 1535, *and further adding what followeth.*

[Summa Constitutionum, 300.]

Dum autem postea ad dictarum literarum executionem deveniendum esse statuissemus, cum nobis per nonnullos principes et alias insignes personas persuaderetur, ut ab executione hujusmodi per aliquantum temporis supersederemus, spe nobis datâ, quod interim ipse Henricus rex ad cor rediret et resipisceret, nos, qui (ut hominum natura fert) facile credebamus quod desiderabamus, dictam executionem suspendimus; sperantes (ut spes nobis data erat) ex ipsâ suspensione correctionem et resipiscentiam, non autem pertinaciam, et obstinationem, ac majorem delirationem (ut rei effectus edocuit) proventuram. Cum itaque resipiscentia, et correctio hujusmodi, quam tribus fere annis expectavimus, non solum postea sequuta non sit, sed ipse Henricus rex quotidie magis se in suâ feritate et temeritate confirmans, in nova etiam scelera proruperit; quippe cum, non contentus vivorum prælatorum et sacerdotum crudelissimâ trucidatione, etiam in mortuos, et eos quidem quos, in sanctorum numerum relatos, universalis ecclesia pluribus sæculis venerata est, feritatem exercere non expavit. Divi enim Thomæ, Cantuariensis archiepiscopi (cujus ossa, quæ in dicto regno Angliæ potissimum, ob innumera ab omnipotenti Deo illic perpetrata miracula, summâ cum veneratione in arcâ aureâ in civitate Cantuariensi servabantur, postquam ipsum divum Thomam, ad majorem religionis contemptum, in judicium vocari, et tanquam contumacem damnari, ac proditorem declarari fecerat, exhumari, et comburi) cineres in ventum spargi jussit; omnem plane cunctarum gentium crudelitatem superans, cum ne in bello quidem hostes victores sævire in mortuorum cadavera soliti sint. Ad hæc omnia ex diversorum regum etiam Anglorum, et aliorum principum liberalitate donaria, ipsi arcæ appensa, quæ multa et maximi pretii erant, sibi usurpavit; nec putans ex hoc satis se injuriæ religioni intulisse, monasterium divo illi Augustino, à quo Christianam fidem Angli acceperunt, in dictâ civitate dicatum, omnibus thesauris (qui etiam multi et magni erant) spoliavit: et sicut se in belluam transmutavit, ita etiam belluas, quasi socias suas, honorare voluit; feras videlicet in dicto monasterio, expulsis monachis, intromittendo; genus quidem sceleris, non modo Christi fidelibus, sed etiam Turcis inauditum, et abominandum. Cum itaque morbus iste à nullo, quantumvis peritissimo medico, aliâ curâ sanari possit quàm putridi membri abscissione; nec valeret cura hujusmodi, absque eo quod nos apud Deum causam hanc nostram efficiamus, ulterius retardari, ad dictarum literarum (quas ad hoc, ut Henricus rex ejusque complices, fautores, adhærentes, con-

sultores, et sequaces, etiam super excessibus per eum novissimè, ut præfertur, perpetratis, intra terminum eis, quoad alia, per alias nostras literas prædictas respective præfixum, ut se excusent, alias pœnas in ipsis literis contentas incurrant, extendimus, et ampliamus) publicationem, et deinde, Deo duce, ad executionem procedere omninò statuimus, &c. Datum Romæ, apud S. Petrum, anno incarnationis Dominicæ 1538, decimo sexto Cal. Januarii, pontificatûs nostri anno quinto.

Visa J. Sauli. Blosius Bap. Motta.

No. XXXVII.—(*Referred to at page* 225.)

Extract from a paper, under the sign manual, entitled "Instructions given by the kings highnes to the right reverende father in God, his right trusty and right welbeloved counsailor, the bisshop of Winchester, whom his majestie at this tyme sendeth to his good brother and perpetual allye, the Frenche king, for the causes and purposes heraftre ensuyng." October, 1535.

[Original in my possession.]

Henry R.

* * * * * *

Ffirst, the said bisshoppe (Gardiner) shall, uppon his arryval at the Frenche courte, at his first accesse to the Frenche king's presence, after delyverance unto him of his grace's lettres credential, say, * * * Albeit his highnes and his hole realme, knowing the groundes of the bisshop of Rome's malicious procedings against his grace, doo worthely laughe at the same, being non noveltie unto them, but a thing long befor certainly loked for, and, nowe it is doon, estemed as it is worthie, the emanacion and sending furth nevertheles wherof doth reduce to his graces memory the said Frenche king's saiengs, at their late being togither at Bulloyn, in effect, that his highnes shuld fynde the bisshoppes of Rome at length but false, untrue, and malicious persons, yet his highnes no lesse thankfully accepting the gratuitie and kindnes of his said good brother, in this frendely parte, thenne the same deserveth and requireth, hathe not only sent the said bisshop to him, to conclude uppon suche overtures, as were, on his behaulf, made unto his grace by the said Baylie of Troys, but also to signifie unto him that this his frendely demonstracion of his syncere and moost perfite affection and love towards his grace is soo entred and digested in the botom of his brest and stomake, as he may assure himself, for correspondence, to have his highnes, his realmes, and dominions, like a most perfite and an assured frende, to adhere and cleve unto him. And here the said bisshop shal not forget to make declaracion of the king's highnes procedings in his realme, openyng unto the same Frenche king, that, whatsoever false reaports and untrue surmyses shuld be, by any men, made unto him, to slaunder

the truthe, the king's highnes nevertheles is, in al his doings, as becometh a christen prince to be, confessing Christe and his true doctryne; abhorring, detesting, punishing, and pursuing al heresie, without any other innovation, thenne suche as the necessitie of the truth hath required: declaring unto him, howe al suche ceremonies and ordres, in the church and religion of Christe, as may, by any temperance, be suffered, be in the realme of Englande untouched and unmoved. And for that, whiche indede is doon, whiche is, in effecte, only against the bisshop of Rome, the said bisshop shal offre himselfe there ready, with his lerned men, to defende and mayntain the same; and likewise to offre that lerned men, of the king's highnes dominions, shal repare thither, to have conference with suche as he will appointe for that mattier; not doubting but thenne the Frenche king shal see more thenne he yet doth, and perceyve howe he hathe been blynded and abused, to suffre that dominion of the said bisshop of Rome. And the said bisshop shal also, in this communication, or whenne he shal have therunto oportunytie, declare unto the said Frenche king the cause of the sending of the bisshop of Herforde to the duke of Saxe and other, whiche is, specially and chiefly, to declare the synceritie of his procedings: like as the said Frenche king used wayes and meanes howe to purge himself to the Germaynes of suche slaunders, as wer raysed upp against him by themperor, soo the king's highnes forseeth to defende himselfe, in al parties, against the malicious slaunders of the bisshop of Rome; who being soo unshamefast to slaunder his majestie soo falsely to the said Frenche king, being his assured ffrende, wil, of lightlywood, spitt out his venom elles where moche more plentifully: Adding therunto, that the bisshop of Herforde hath also in commission to knowe their astate in religion, to thintent that, uppon communication and deliberation of the truth, an unytie in Christes religion might be established, wherin the king's highnes wil, by all wayes and meanes, employe al his labour, study, travail, and diligence. In whiche communication, and in al other conferences to be had by the said bishop with the said Frenche king, or any of his agents or counsailors, the same shal nevertheles, by all wayes and meanes to him possible, endevour himself to enserche and desciphre whither the said Frenche king be in harte soo ernestly mynded and bent to observe, contynue, and encreace the amytie and frendeship, contracted betwene him and the king's highnes, and to concurre with his grace in al fortunes, as, by his lettres and message, he pretendethe in outwarde visage, demonstracion, and countenance; or whither, by the color of the king's amytie, he myndethe to make his oune benefite and proffit otherwise, in his affayres with themperor and the bisshop of Rome, or eyther of them: ffor the better conducing wherof to the

king's desired purpose, besides suche good meanes as the said bisshoppe of himself shall there devise, as occasion and oportunytie may serve him, or that he shal lerne by the relacion of Sir John Wallop, the king's ambassador there resident, who canne instructe him howe al things do there procede, the said bisshop shal, in treating with the said Frenche king, and his agents, ffirst and befor al other things, induce them to capitulate, by expresse words, in this newe treatie, that, whereas the bisshop of Rome hath nowe, of late, directed a brief to the said Frenche king, conteyning most slaunderous, dishonorable, and therto most false, untrue, and ungodly words and matier, sounding greatly to the reproche and prejudice, not only of the king's highnes, and his royal estate, but also of the prehemynence and dignitie of all other the kings and princes of christendom; and, in the said brief hath also summoned the said Frenche king, not only to relinquishe and abandon the frendeship and amytie whiche is already, by diverse and sundry moost straight and indissoluble bonds, established betwene him and his highnes, but also to invade, molest, and make warre against his grace and his realme, whensoever he shuld, by the said bisshop, be therunto required; declaring openly therby to the world of what spirite he is, and whose place he supplieth here in erth, that is to saye, his, who is the veray auctor of all sedicion, untruth, and mischief, The said Frenche king shal not only binde himself to take the king's highnes parte, at all tymes, and against all powers, as wel against themperor, the bisshop of Rome, and his see, as against all other auctorities, princes and potentates, notwithstanding any bull, brief, censure, interdiction, excommunication, or other processe, by what name or title so ever it be called, or any other request, offree, sute, desire, commandement, or processe, whiche, from the said bisshop of Rome, his see, themperor, the general counsail, or any other auctoritie, be or shalbe, at any tyme hereaftre, sent forth, published, divulgate, pronounced, or declared to the contrary, of whatsoever forme, tenor, or effecte the same shalbe conceyaved, but also, by a certain daye, to be in the said treatie limited, to signifie by his lettres, to be directed to the said bisshop of Rome, plainly and frankly, that, forasmoche as the said Frenche king thoroughly knoweth the hole progresse and circumstance of the king's procedings to be established uppon just, honorable, and vertuous groundes, aswel in separating himselfe from his first incest, and unlawfull matrymonie, as in the relinquisshing and extirpacion of the said bishoppes auctoritie, and that, therfore, his sentences, censures, and processes, made, or to be made, or given against the same, be inique and repugnant to Godds lawes, and to the good policye and commune wealth of christen princes and their realmes, he wil, with al his force,

strength, and puissaunce, assist and mayntain his grace in the defence of the same, against all men, and against all auctorities, notwithstanding any inhibicions, censures, excommunications, or interdictions, to be sentfurth against the said Frenche king, or his realme, in that behaulf. Whiche article in case they shal holly agree unto, the said bisshop shal not only thenne begynne his treatie with the same, couched, in effecte, as it is expressed, but also, by all good dexteritie, hast the dispeche of the said lettres, whiche lettres he shal desire he may conceyve himself, or, at the lest, in case he cannot obteyne that, he shal see that the same be conceyved in suche forme and sentence, as theffecte therof may be correspondent to the words of the treatie. And if they shal condescend to the first parte of this article, that is, to take the king's parte in suche forme as is expressed, and graunte and binde the said Frenche king to be and contynue frendes to the king's highnes, against al men, and to defende his personne, realme, and dominions against all men, aswel specially expressing themperor and the bisshop of Rome, as, in general termes, all other princes, potentates, and auctorities, and yet shal nevertheles, uppon somme respecte, refuse to write suche lettres, albeit the king's pleasure is, the said bisshop shal as moche presse them therunto, as by his wisedom he shal think conveniente, and, by all fayre and dulce wayes and meanes he canne excogitate, persuade them to the same, yet, if ffinally he shall see and perceyve they wil in noo wise give place to his persuasions therin, he shal thenne, with good words, countenance, and demonstracion, passe over the same, and procede to the capitulacion of the first parte therof accordingly.[1]

No. XXXVIII.—(*Referred to at page* 241.)

A Decree of the University of Cambridge against the Pope's Supremacy.

[Fuller, History of Cambridge, 107.]

Universis sanctæ matris ecclesiæ filiis, ad quos præsentes literæ perventuræ sunt, cœtus omnis regentium et non regentium academiæ Cantabrigiensis, salutem in omnium Salvatore Jesu Christo. Cùm de Romani pontificis potestate, quam ex Sacris Scripturis sibi vendicat in omnibus Christianorum provinciis, et in hoc regno Angliæ longo jam temporis tractu exercuit, hisce nunc diebus quæstio exorta sit, ac nostra de eâ re sententia rogaretur, viz., An pontifex Romanus habeat a Deo in Scripturâ Sacrâ sibi

[1] [From a subsequent despatch, dated the 7th of December, it appears that Francis instantly and indignantly rejected these proposals. The admiral of France, speaking on behalf of his master, told Gardiner, that he "wold lose his hed, his armes, his legges, and be yvel handeled, or ever he wold consent to any thing against the bisshop of Rome."—Henry to Gardiner, Original, in my possession.—*T.*]

concessam majorem authoritatem, et potestatem, in hoc regno Angliæ, quàm quivis alius externus episcopus? nos æquum esse putavimus, ut, ad dictæ quæstionis veritatem eruendam, omni studio incumberemus, ac nostram de eâ re sententiam et censuram tandem orbi proferremus. Nempe ad hoc potissimum academias olim à principibus institutas fuisse persuasi, ut et populus Christianus in lege Dei erudiatur, et falsi errores (si qui exorirentur) curâ et solicitudine doctorum theologorum penitus convelli ac profligari possent. Quamobrem de prædictâ quæstione deliberaturi, more nostro convenientes, ac maturâ consultatione consilia conferentes, quo modo et ordine ad investigationem veritatis certiùs procederetur; atque omnium tandem suffragiis selectis, quibusdam ex doctissimis sacræ theologiæ professoribus, baccalaureis, et aliis magistris, ea cura demandata, ut scrutatis diligentissimè Sacræ Scripturæ locis, illisque collatis, referrent ac renuntiarent, quid ipsi dictæ quæstioni respondendum putarent. Quoniam, auditis, perpensis, ac post publicam super dictâ quæstione disputationem, maturâ deliberatione discussis his, quæ in quæstione prædictâ alterutram partem statuere aut convellere possent, illa nobis probabiliora, validiora, veriora etiam, ac certiora esse, ac genuinum ac sincerum Scripturæ sensum referre visa sunt, quæ negant Romano pontifici talem potestatem à Deo in Scripturâ datam esse. Illis igitur persuasi, et in unam opinionem convenientes, ad quæstionem prædictam ita respondendum decrevimus, et in his scriptis, nomine totius universitatis, respondemus, ac pro conclusione verissimâ asserimus, quòd Romanus pontifex non habet a Deo concessam sibi majorem authoritatem, aut jurisdictionem in hoc regno Angliæ, quàm quivis alius episcopus externus. Atque in fidem et testimonium hujusmodi nostræ responsionis, et affirmationis, his literis sigillum nostrum commune curavimus apponi. Datum Cantabrigiæ, ex domo nostrâ regentium, secundo die mensis Maii, anno ab orbe per Christum redempto 1534.

A Decree of the University of Oxford against the Pope's Supremacy.

[Wood, Hist. Univ. Oxon. 258.]

Universis sanctæ matris ecclesiæ filiis, etc. Johannes permissione Dei Lincolniensis episcopus, almæ universitatis Oxon. cancellarius, nec non universus doctorum, ac magistrorum regentium, et non regentium, in eâdem cœtus, salutem in Authore salutis. Cùm illustrissimus simul ac potentissimus princeps et dominus noster, Henricus VIII., Dei gratiâ Angliæ et Franciæ rex, fidei defensor, et dominus Hiberniæ, assiduis petitionibus et querelis subditorum suorum, in summo suo parliamento quibusdam habitis, super potestatem, et jurisdictionem Romani episcopi, variisque urgentibus causis contra eundem episcopum tunc ibidem ex-

positis et declaratis, aditus atque rogatus fuerit, ut commodis suorum subditorum in hac parte consuleret, et querelis satisfaceret; ipse, tanquam prudentissimus Solomon, solicitè curans quæ suorum sunt subditorum, quibus, in hoc regno, divinâ disponente clementiâ, præest, altiusque secum considerans, quo pacto commodissimas regno suo sanciret leges; denique ante omnia præcavens, ne contra Sacram Scripturam aliquid statuat, quam vel ad sanguinem usque defendere semper fuit eritque paratissimus, solerti suo ingenio, sagacique industriâ, quandam quæstionem ad hanc suam academiam Oxon. publicè et solemniter per doctores, et magistros ejusdem, disputandam transmisit, viz., An Romanus episcopus habeat majorem aliquam jurisdictionem, sibi a Deo collatam in Sacrâ Scripturâ, in hoc regno Angliæ, quàm alius quivis externus episcopus? mandavitque, ut, habitâ super hac quæstione maturâ deliberatione, et examinatione diligenti, quid Sacræ Literæ in hac parte nostro judicio statuunt, eundem certiorem facere sub instrumento, sigillo communi nostræ universitatis communito, et confirmato, curaremus. Nos igitur, cancellarius, doctores, et magistri prædicti, sæpe reminiscentes, ac penitiùs apud nos pensitantes, quanta sit virtus, sanctitas, ac nostræ professioni quàm consona res et debita, submissioni, obedientiæ, reverentiæ, ac charitati congrua, præmonstrare viam justitiæ ac veritatis cupientibus Sacrarum Literarum vestigiis insistere, securiorique et tranquilliori conscientiâ in lege Domini sacram, ut aiunt, suam anchoram reponere, non potuimus non invigilare sedulò, quatenus, in petitione tam justâ et honestâ tanto principi (cui velut auspicatissimo nostro supremo moderatori obtemperare tenemur) modis omnibus satisfaceremus. Post susceptam itaque per nos quæstionem antedictam, cum omni humilitate, devotione, ac debitâ reverentiâ, convocatis undique dictæ nostræ academiæ theologis, habitoque complurium dierum spatio, ac deliberandi tempore satis amplo, quo interim cum omni, quâ potuimus, diligentiâ, justitiæ zelo, religione, et conscientiâ incorruptâ, perscrutaremur tam Sacræ Scripturæ libros, quàm super iisdem approbatissimos interpretes, et eos quidem sæpe et sæpius a nobis evolutos, et exactissime collatos, repetitos, et examinatos; deinde et disputationibus solemnibus, palam, et publicè habitis, et celebratis, tandem in hanc sententiam unanimiter omnes convenimus, ac concordes fuimus, viz., Romanum episcopum majorem aliquam jurisdictionem non habere sibi a Deo collatam in Sacrâ Scripturâ, in hoc regno Angliæ, quàm alium quemvis externum episcopum. Quam nostram assertionem, sententiam, sive determinationem, sic ex deliberatione discussam, ac juxta exigentiam statutorum et ordinationum hujus nostræ universitatis per nos conclusam, publicè totius academiæ consensu, tanquam veram, certam, sacræque Scripturæ consonam affirmamus, et testificamur per præsentes.

In quorum omnium et singulorum fidem et testimonium, has literas fieri, et sigillo nostræ universitatis communi roborari fecimus. Datum in domo congregationis nostræ, 27 die mensis Julii, anno a Christo nato 1534.

No. XXXIX.—(*Referred to at page* 243.)

The Oath of Supremacy.

[Stat. 28 Hen. VIII. c. 10.]

I, A. B. do utterly testify, and declare in my conscience, that the king's majesty is the only supreme governor of this realm, and of all other his highness's dominions, and countries, as well in all spiritual or ecclesiastical things, or causes, as temporal; and that no foreign prince, person, prelate, state, or potentate, hath, or ought to have, any jurisdiction, power, superiority, pre-eminence, or authority, ecclesiastical or spiritual, within this realm. And, therefore, I do utterly renounce and forsake all foreign jurisdictions, powers, superiorities, and authorities: and do promise, that, from henceforth, I will bear faith and true allegiance to the king's highness, his heirs, and lawful successors; and, to my power, will assist and defend all jurisdictions, privileges, pre-eminences, and authorities granted and belonging to the king's highness, his heirs or successors, or limited and annexed to the imperial crown of this realm.

[Stat. 35 Hen. VIII. c. 1, sec. 11]

I, A. B. having now the veil of darkness of the usurped power, authority, and jurisdiction of the see and bishop of Rome, clearly taken away from mine eyes, do utterly testify, and declare in my conscience, that neither the see, nor the bishop of Rome, nor any foreign potestate hath, nor ought to have, any jurisdiction, power, or authority, within this realm, neither by God's law, nor by any other just law or means. And though by sufferance, and abuse in times past, they aforesaid have usurped, and vindicated a feigned and an unlawful power and jurisdiction within this realm, which hath been supported till few years past: therefore, because it might be deemed, and thought thereby, that I took, or take it for just and good, I therefore now do clearly and frankly renounce, refuse, relinquish, and forsake that pretended authority, power, and jurisdiction, both of the see and bishop of Rome, and of all other foreign powers; and that I shall never consent, nor agree, that the foresaid see, or bishop of Rome, or any of their successors, shall practise, exercise, or have any manner of authority, jurisdiction, or power, within this realm, or any other the king's realms or dominions, nor any foreign

potestate, of what estate, degree, or condition soever he be; but that I shall resist the same at all times, to the uttermost of my power: and that I shall bear faith, truth, and true allegiance to the king's majesty, and to his heirs and successors, declared, or hereafter to be declared by the authority of the act made in the session of the parliament holden at Westminster the fourteenth day of January, in the five and thirtieth year, and in the said act made in the eight and twentieth year of the king's majesty's reign: and that I shall accept, repute, and take the king's majesty, his heirs, and successors, (when they, or any of them shall enjoy his place) to be the only supreme head in earth, under God, of the church of England and Ireland, and of all other his highness' dominions; and that with my body, cunning, wit, and uttermost of my power, without guile, fraud, or other undue mean, I shall observe, keep, maintain, and defend all the king's majesty's styles, titles, and rights, with the whole effects and contents of the acts provided for the same, and all other acts and statutes made, or to be made, within this realm, in and for that purpose, and the derogation, extirpation, and extinguishment of the usurped and pretended authority, power, and jurisdiction of the see and bishop of Rome, and all other foreign potestates, as afore: and also as well the said statute, made in the said eight and twentieth year, as the statute made in the said session of the parliament, holden the five and thirtieth year of the king's majesty's reign, for establishment and declaration of his highness' succession, and all acts and statutes made, and to be made, in confirmation and corroboration of the king's majesty's power and supremacy in earth of the church of England, and of Ireland, and of other the king's dominions, I shall also defend and maintain with my body and goods, and with all my wit and power: and this I shall do against all manner of persons, of what estate, dignity, degree, or condition they be, and in no wise do, or attempt, nor to my power suffer, or know to be done, or attempted, directly or indirectly, any thing or things, privily or apertly, to the let, hinderance, damage, or derogation of any of the said statutes, or of any part of them, by any manner of means, or for, or by any manner of pretence. And, in case any oath hath been made by me, to any person or persons, in maintenance, defence, or favour of the see and bishop of Rome, or his authority, jurisdiction, or power, or against any the statutes aforesaid, I repute the same as vain and annihilate, and shall wholly and truly observe and keep this oath. So help me God, all saints, and the holy evangelists.

No. XL.—(*Referred to at page 255.*)

The Supplication of Beggars, by Simon Fish, of Gray's Inn.

[Foxe, ii. 229.]

To the King, our Sovereign Lord,

Most lamentably complaineth their woeful misery unto your highness, your poor daily beadsmen, the wretched hideous monsters, on whom scarcely, for horror, any eye dare look, the foul unhappy sort of lepers, and other sore people, needy, impotent, blind, lame, and sick, that live only by alms, how that their number is daily so sore increased, that all the alms of all the well disposed people of this your realm is not half enough for to sustain them, but that, for very constraint, they die for hunger. And this most pestilent mischief is come upon your said poor bedemen, by the reason that there is, in the times of your noble predecessors passed, craftily crept into this your realm another sort, not of impotent, but of strong, puissant, and counterfeit holy and idle beggars, and vagabonds, which, since the time of their first entry, by all the craft, and wiliness of Satan, are now increased under your sight, not only into a great number, but also into a kingdom. These are not the herds, but ravenous wolves, going in herd's clothing, devouring the flock; bishops, abbots, priors, deacons, archdeacons, suffragans, priests, monks, canons, friars, pardoners, and somners. And who is able to number this idle ravenous sort, which (setting all labour aside) have begged so importunately, that they have gotten into their hands more than the third part of all your realm? The goodliest lordships, manors, lands, and territories are theirs. Besides this, they have the tenth part of all the corn, meadow, pasture, grass, wood, colts, calves, lambs, pigs, geese, and chickens: over and besides the tenth part of every servant's wages, the tenth part of wool, milk, honey, wax, cheese, and butter: yea, and they look so narrowly upon their profits, that the poor wives must be countable to them for every tenth egg, or else she getteth not her rights at Easter, and shall be taken as an heretick. Hereto have they their four offering days. What money pull they in by probates of testaments, privy tithes, and by men's offerings to their pilgrimages, and at their first masses? Every man and child, that is buried, must pay somewhat for masses and diriges to be sung for him, or else they will accuse their friends and executors of heresy. What money get they by mortuaries? by hearing of confessions (and yet they keep thereof no counsel), by hallowing of churches, altars, super-altars, chapels, and bells? by cursing of men, and absolving them again for money? What a multitude of money gather the pardoners in a year? How much money get the somners, by extortion in a year, by citing

the people to the commissaries' court, and afterward releasing the apparents for money? Finally, the infinite number of begging friars, what get they in a year?

Here, if it please your grace to mark, you shall see a thing far out of joint. There are within your realm of England 52,000 parish churches; and this standing, that there be but ten households in every parish, yet are there 520,000 households: and of every of these households have every of the five orders of friars a penny a quarter, for every order; that is, for all the five orders, five-pence a quarter of every house; that is, for all the five orders, twenty-pence a year of every house. Summa 520,000 quarters of angels; that is, 260,000 half angels: summa 130,000 angels. Summa totalis 43,333*l.* 6*s.* 8*d.* whereof, not four hundred years past, they had not one penny.

Oh! grievous and painful exaction, thus yearly to be paid; from the which the people of your noble predecessors, the kings of the ancient Britons, ever stood free! And this will they have, or else they will procure him, that will not give it to them, to be taken as an heretick. What tyrant ever oppressed the people like this cruel and vengeable generation? What subjects shall be able to help their prince, that be after this fashion yearly polled? What good christian people can be able to succour us, poor lepers, blind, sore, and lame, that be thus yearly oppressed? Is it any marvel that your people so complain of poverty? Is it any marvel that the taxes, fifteenths, and subsidies that your grace most tenderly, of great compassion, hath taken among your people, to defend them from the threatened ruin of their common wealth, have been so slothfully, yea painfully levied, seeing almost the uttermost penny, that might have been levied, hath been gathered before yearly, by this ravenous insatiable generation? Neither the Danes nor the Saxons, in the time of the ancient Britons, should ever have been able to have brought their armies, from so far, hither into our land, to have conquered it, if they had had, at that time, such a sort of idle gluttons, to find at home. The noble king Arthur had never been able to have carried his army to the foot of the mountains, to resist the coming down of Lucius, the emperor, if such yearly exactions had been taken of his people. The Greeks had never been able to have so long continued at the siege of Troy, if they had had at home such an idle sort of cormorants, to find. The ancient Romans had never been able to have put all the whole world under their obeisance, if their people had been thus yearly oppressed. The Turk now, in your time, should never have been able to get so much ground of Christendom, if he had, in his empire, such a sort of locusts, to devour his substance. Lay, then, these sums to the foresaid third part of the possessions of the realm, that ye

may see whether it draw nigh unto the half of the whole substance of the realm, or not; so shall ye find, that it draweth far above.

Now let us then compare the number of this unkind idle sort unto the number of the lay people, and we shall see whether it be indifferently shifted or not, that they should have half. Compare them to the number of men; so are they not the hundredth person. Compare them to men, women, and children; so are they not the four hundredth person in number. One part, therefore, in four hundred parts divided, were too much for them, except they did labour. What an unequal burden is it, that they have half with the multitude, and are not the four hundredth person of their number? What tongue is able to tell, that ever there was any commonwealth so sore oppressed since the world first began? And what doth all this greedy sort of sturdy, idle, holy thieves with these yearly exactions, that they take of the people? Truly, nothing, but exempt themselves from the obedience of your grace; nothing, but translate all rule, power, lordship, authority, obedience, and dignity, from your grace unto them; nothing, but that all your subjects should fall into disobedience and rebellion against your grace, and be under them, as they did unto your noble predecessor king John; which, because that he would have punished certain traitors, that had conspired with the French king, to have deposed him from his crown and dignity (among the which, a clerk, called Stephen, whom, afterward, against the king's will, the pope made bishop of Canterbury, was one), interdicted his land; for the which matter, your most noble realm wrongfully (alas, for shame!) hath stood tributary, not unto any kind of temporal prince, but unto a cruel, devilish blood-supper, drunken in the blood of the saints and martyrs of Christ ever since. Here were an holy sort of prelates, that thus cruelly could punish such a righteous king, all his realm and succession, for doing right; here were a charitable sort of holy men, that could thus interdict a whole realm, and pluck away the obedience of the people from their natural liege lord, and king, for none other cause, but for his righteousness; here were a blessed sort, not of meek herds, but of blood-suppers, that could set the French king upon such a righteous prince, to cause him to lose his crown and dignity, to make effusion of the blood of his people, unless this good and blessed king, of great compassion, more fearing and lamenting the shedding of the blood of his people, than the loss of his crown and dignity, against all right and conscience, had submitted himself unto them. Oh case most horrible! that ever so noble a king, realm, and succession should thus be made to stoop to such a sort of blood-suppers! Where was his sword, power, crown, and dignity become, whereby he might have done justice in this matter? Where

was their obedience become, that should have been subject under his high power in this matter? Yea, where was the obedience of all his subjects become, that, for maintenance of the commonwealth, should have holpen him manfully to have resisted these blood-suppers, to the shedding of their blood? Was it not altogether, by their policy, translated from this good king unto them?

Yea, and what do they more? Truly nothing, but apply themselves, by all the sleights they may, to have to do with every man's wife, every man's daughter, and every man's maid; that cuckoldry and bawdry should reign over all, among your subjects; that no man should know his own child; that their bastards might inherit the possessions of every man, to put the right-begotten children clean beside their inheritance, in subversion of all estates, and godly order. These be they, that, by their abstaining from marriage, do let the generation of the people, whereby all the realm, at length, if it should be continued, shall be made desert and uninhabited. These be they that have made 100,000 idle whores in your realm, which would have gotten their living honestly, in the sweat of their faces, had not their superfluous riches elected them to unclean lust and idleness: these be they that corrupt the whole generation of mankind in your realm, that catch the pox of one woman, and bear them unto another; that be burnt with one woman, and bear it to another; that catch the lepry of one woman, and bear it unto another: yea, some one of them shall boast among his fellows, that he hath meddled with a hundred women. These be they, that, when they have once drawn men's wives to such incontinency, spend away their husbands' goods, make the women to run away from their husbands; yea, run away themselves, both with wife and goods, bringing both man, wife, and children, to idleness, theft, and beggary. Yea, who is able to number the great and broad bottomless ocean sea-full of evils, that this mischievous and sinful generation may lawfully bring upon us unpunished?

Where is your sword, power, crown, and dignity become, that should punish, by punishment of death, even as other men are punished, the felonies, rapes, murders, and treasons, committed by this sinful generation? Where is their obedience become, that should be under your high power in this matter? Is it not altogether translated, and exempt from your grace unto them? Yes, truly. What an infinite number of people might have been increased, to have peopled the realm, if this sort of folk had been married like other men? What breach of matrimony is there brought in by them? Such, truly, as was never since the world began, among the whole multitude of the heathen. Who is she that will set her hands to work, to get three-pence a-day, and may

have, at least, twenty-pence a-day to sleep an hour with a friar, a monk, or a priest? What is he that would labour for a groat a-day, and may have, at least, twelve-pence a-day, to be bawd to a priest, a monk, or a friar? What a sort are there of them, that marry priests' sovereign ladies, but to cloak the priests' incontinency, and that they may have a living of the priests themselves, for their labour? How many thousands doth such lubricity bring to beggary, theft, and idleness, which should have kept their good name, and have set themselves to work, had [there] not been this excessive treasure of the spiritualty? What honest man dare take any man or woman into his service, that hath been at such a school with a spiritual man? Oh! the grievous shipwreck of the common-wealth, which, in ancient time, before the coming of these ravenous wolves, were so prosperous, that then there were but few thieves; yea, theft, at that time, was so rare, that *Cæsar* was not compelled to make penalty of death upon felony, as your grace may well perceive in his *Institutes*. There was also, at that time, but few poor people, and yet they did not beg, but there was given them enough, unasked: for there was, at that time, none of these ravenous wolves, to ask it from them, as it appeareth in the *Acts of the Apostles*. Is it any marvel, though, there be now so many beggars, thieves, and idle people? Nay, truly. What remedy? Make laws against them? I am in doubt whether ye be able. Are they not stronger in your own parliament house than yourself? What a number of bishops, abbots, and priors are lords of your parliament? Are not all the learned men of your realm in fee with them, to speak in your parliament house for them, against your crown, dignity, and common-wealth of your realm, a few of your own learned counsel only excepted? What law can be made against them, that may be available? Who is he (though he be grieved very sore) that, for the murder of his ancestor, ravishment of his wife, of his daughter, robbery, trespass, maim, debt, or any other offence, dare lay it to their charge, by any way of action? And, if he do, then is he, by and by, by their wiliness, accused of heresy; yea, they will so handle him, ere he pass, that, except he will bear a faggot for their pleasure, he shall be excommunicate, and then be all his actions dashed. So captive are your laws unto them, that no man, whom they list to excommunicate, may be admitted to sue any action in any of your courts. If any man, in your sessions, dare be so hardy to indict a priest of any such crime, he hath, ere the year go out, such a yoke of heresy laid in his neck, that it maketh him wish he had not done it. Your grace may see what a work there is in *London;* how the bishop rageth, for indicting of certain curates of extortion and incontinency, the last year, in the wardmote quest. Had not *Richard Hunne* commenced an action of

præmunire against a priest, he had been yet alive, and no heretic at all, but an honest man. Did not divers of your noble progenitors, seeing their crown and dignity run into ruin, and to be thus craftily translated into the hands of this mischievous generation, make divers statutes for the reformation thereof, among which the statute of *Mortmain* was one, to the intent, that, after that time, they should have no more given unto them? But what availed it? Have they not gotten into their hands more lands since, than any duke in *England* hath, the statute notwithstanding? Yea, have they not, for all that, translated into their hands, from your grace, half your kingdom thoroughly, the name only remaining to you, for your ancestors' sake? So you have the name, and they the profit. Yea, I fear, if I should weigh all things to the utmost, they would also take the name to them, and of one kingdom make twain, the spiritual kingdom, as they call it (for they will be named first), and your temporal kingdom. And which of these two kingdoms suppose you is like to over-grow the other? Yea, to put the other clean out of memory? Truly, the kingdom of the blood-suppers. For to them is given daily out of your kingdom; and that, that is once given them, never cometh from them again. Such laws have they, that none of them may either give or sell anything. What law can be made so strong against them, that they, either with money, or else with other policy, will not break or set at nought? What kingdom can endure, that ever giveth thus from him, and receiveth nothing again? Oh! how all the substance of your realm, your sword, power, crown, dignity, and obedience of your people, runneth headlong into the insatiable whirlpool of these greedy gulphs, to be swallowed and devoured! Neither have they any other colour, to gather these yearly exactions into their hands, but that they say they pray for us to God, to deliver our souls out of the pains of Purgatory; without whose prayers, they say, or, at least, without the pope's pardon, we could never be delivered thence: which, if it be true, then it is good reason that we give them all these things, although it were an hundred times as much. But there be many men of great literature and judgment, that, for the love they have unto the truth, and unto the common-wealth, have not feared to put themselves into the greatest infamy that may be, in abjection of all the world, yea, in peril of death, to declare their opinion in this matter; which is, that there is no Purgatory, but that it is a thing invented by the covetousness of the spiritualty, only to translate all kingdoms from other princes unto them; and that there is not one word spoken of it in all Holy Scripture. They say also, that, if there were a Purgatory, and also, if that the pope, with his pardons, may, for money, deliver one soul thence, he may deliver him as well without money; if he may deliver one, he may deliver a

thousand; if he may deliver a thousand, he may deliver them all, and so destroy Purgatory; and then he is a cruel tyrant, without all charity, if he keep them there, in prison and in pain, till men will give him money. Likewise, say they, of all the whole sort of the spiritualty, that, if they will pray for no man, but for them that give them money, they are tyrants, and lack charity, and suffer those souls to be punished and pained uncharitably, for lack of their prayers. This sort of folks they call heretics; these they burn, these they rage against, put to open shame, and make them bear faggots. But whether they be heretics or no, well I wot that this Purgatory, and the pope's pardons, are all the cause of the translation of your kingdom so fast into their hands. Wherefore, it is manifest, it cannot be of Christ. For he gave more to the temporal kingdom; he himself paid tribute to *Cæsar;* he took nothing from him; but taught, that the high powers should be always obeyed; yea, he himself (although he were most free, lord of all, and innocent) was obedient unto the high powers, unto death. This is the great scab, why they will not let the New Testament go abroad in your mother tongue, lest men should espy that they, by their cloaked hypocrisy, do translate thus fast your kingdom into their hands; that they are not obedient unto your high power; that they are cruel, unclean, unmerciful, and hypocrites; that they seek not the honour of Christ, but their own; that remission of sins is not given by the pope's pardon, but by Christ, for the sure faith and trust that we have in him. Here may your grace well perceive, that, except you suffer their hypocrisy to be disclosed, all is like to run into their hands; and, as long as it is covered, so long shall it seem to every man to be a great impiety not to give to them. For this, I am sure, your grace thinketh (as the truth is), I am as good a man as my father; Why may I not as well give them as much as my father did? And of this mind, I am sure, are all the lords, knights, squires, gentlemen, and yeomen in *England*; yea, and, until it be disclosed, all your people will think, that your statute of *Mortmain* was never made with any good conscience, seeing that it taketh away the liberty of your people, in that they may not as lawfully buy their souls out of Purgatory, by giving to the spiritualty, as their predecessors did, in times past.

Wherefore, if ye will eschew the ruin of your crown and dignity, let their hypocrisy be uttered, and that shall be more speedful in this matter, than all the laws that may be made, be they never so strong: for, to make a law to punish any offender, except it were more to give other men an example to beware how they commit such like offence, what should it avail? Did not Dr. Allen most presumptuously, now in your time, against his allegiance, all that ever he could, to pull from you

the knowledge of such pleas, as belong unto your high courts, into another court, in derogation of your crown and dignity? Did not also Dr. Horsey and his complices most heinously (as all the world knoweth) murder in prison that honest merchant, Richard Hunne, for that he sued your writ of præmunire against a priest that wrongfully held him in plea, in a spiritual court, for a matter, whereof the knowledge belongeth unto your high courts? And what punishment was there done that any man may take example of, to beware of like offence? Truly none, but that the one paid 500*l.* (as it is said), to the building of your chamber: and, when that payment was once passed, the captains of his kingdom (because he fought so manfully against your crown and dignity), have heaped to him benefice upon benefice, so that he is rewarded ten times as much. The other, as it is said, paid 600*l.* for him and his complices; which, because that he had likewise fought so manfully against your crown and dignity, was, immediately as he had obtained your most gracious pardon, promoted by the captains of the kingdom, with benefice upon benefice, to the value of four times as much. Who can take example of punishment to beware of such like offence? Who is he of their kingdom that will not rather take courage to commit like offence, seeing the promotions that fell to these men for their so offending? So weak and blunt is your sword, to strike at one of the offenders of this crooked and perverse generation! And this is by reason, that the chief instrument of your law, yea the chief of your council, and he which hath your sword in his hand, to whom also all the other instruments are obedient, is always a spiritual man, which hath ever such an inordinate love unto his own kingdom, that he will maintain that, though all the temporal kingdoms and commonwealths of the world should therefore utterly be undone. Here leave we out the greatest matter of all, lest that we, declaring such an horrible carrion of evil against the ministers of iniquity, should seem to declare the one only fault, or rather the ignorance of our best beloved minister of righteousness, which is to be hid till he may be learned, by these small enormities that we have spoken of, to know it plainly himself.

But what remedy to relieve us, your poor, sick, lame, and sore beadsmen? To make many hospitals for the relief of the poor people? Nay, truly, the more the worse; for ever the fat of the whole foundation hangeth on the priests' beards. Divers of your noble predecessors, kings of this realm, have given lands to monasteries, to give a certain sum of money yearly to the poor people; whereof, for the ancienty of the time, they give never one penny. They have likewise given to them, to have a certain [number] of masses said daily for them, whereof they say never one. If the abbot of Westminster should sing

every day as many masses for his founders, as he is bound to do by his foundation, a thousand monks were too few. Wherefore, if your grace will build a sure hospital, that never shall fail to relieve us all, your poor beadsmen, then take from them all these things. Set these sturdy loobies abroad in the world, to get them wives of their own, to get their living with their labour, in the sweat of their faces, according to the commandment of God (Gen. i), to give other idle people, by their example, occasion to go to labour. Tie these holy idle thieves to the carts, to be whipped naked about every market town, till they fall to labour, that they, by their importunate begging, take not away the alms that the good christian people would give unto us, sore, impotent, miserable people, your beadsmen. Then shall as well the number of our foresaid monstrous sort, as of the bawds, whores, thieves, and idle people decrease; then shall these great yearly exactions cease; then shall not your sword, power, crown, dignity, and obedience of your people be translated from you; then shall you have full obedience of your people; then shall the idle people be set to work; then shall matrimony be much better kept; then shall the generation of your people be encreased; then shall your commons encrease in riches; then shall the gospel be preached; then shall none beg our alms from us; then shall we have enough, and more than shall suffice us, which shall be the best hospital that ever was founded for us; then shall we daily pray to God for your most noble estate long to endure.

No. XLI.—(*Referred to at page* 260.)

Preamble to the Act of Parliament for dissolving the lesser Monasteries.

[Stat. 27 Hen. VIII. c. 28.]

Forasmuch as manifest sin, vicious, carnal, and abominable living is daily used, and committed commonly in such little and small abbeys, and priories, and other religious houses, of monks, canons, and nuns, where the congregation of such religious persons is under the number of twelve persons; whereby the governors of such religious houses, and their convents, spoil, destroy, consume, and utterly waste, as well these churches, monasteries, priories, principal houses, farms, granges, lands, tenements, and hereditaments, as the ornaments of their churches, and their goods and chattels, to the high displeasure of Almighty God, slander of good religion, and to the great infamy of the king's highness, and the realm, if redress should not be had thereof: and albeit that many continual visitations have been heretofore had, by the space of two hundred years, and more, for an honest and charitable reformation of such unthrifty, carnal, and abominable living; yet, nevertheless, little

or none amendment is hitherto had: but their vicious livings shamelessly increaseth and augmenteth, and, by a cursed custom, so grown and infested, that a great multitude of the religious persons in such small houses do rather chuse to rove abroad in apostacy, than to conform themselves to the observation of good religion: so that, without such small houses be utterly suppressed, and the religious persons therein committed to great and honourable monasteries of religion in this realm, where they may be compelled to live religiously, for reformation of their lives; there can else be no redress, nor reformation, in that behalf. In consideration whereof, the king's most royal majesty, being supreme head in earth, under God, of the church of England, daily studying and devising the increase, advancement, and exaltation of true doctrine and virtue in the said church, to the only glory and honour of God, and the total extirping and destruction of vice and sin, having knowledge that the premises be true, as well by the complaints of their late visitations, as by sundry credible informations; considering also, that divers and great solemn monasteries of this realm, wherein, thanks be to God, religion is well kept and observed, be destitute of such full numbers of religious persons as they might, and may keep, hath thought good, that a plain declaration should be made of the premises, as well to the lords spiritual and temporal, as to others, his loving subjects, the commons in this present parliament assembled. Whereupon, the said lords and commons, by a great deliberation, finally be resolved, that it is, and shall be, much more to the pleasure of Almighty God, and for the honour of this his realm, that the possessions of such small religious houses, now being spent, spoiled, and wasted for increase and maintenance of sin, should be used, and converted to better uses, and the unthrifty religious persons, so spending the same, to be compelled to reform their lives: and thereupon most humbly desire the king's highness, that it may be enacted, by authority of this present parliament, that his majesty shall have and enjoy, to him, and to his heirs for ever, all and singular such monasteries.

XLI I—*Referred to at page* 264.)

Henry VIII. to Gardiner, Bishop of Winchester, and Sir John Wallop, his Ambassadors at the Court of France. Octob. 11, 1536.

[Extract from the Original, in my possession.]

Henry R. By the King.

Right reverende father in God, right trusty, and right welbiloved, &c. * * * * * Youe shal understande, that, by the blowing abrode of certain false tales—that is to saye, that we shuld entende to

take all the ornaments, plate, and juells of all the parishe churches within our realme in to our handes, and convert the same totally to our owne use; and that we shuld also therwith entende to take suche a taske (tax) of all our commens, as the like therof was never harde of, in any christen region, whenne we assure youe there was never worde spoken, or thing thought, by us or any of our counsail, touching any suche matiers, which certain traitors (wherof two be already executed, and we have moo of thauctors ready to suffer like punyshment) devised and invented, being they otherwise in the daunger of our lawes, and thinking, in this tombeling, to flye and escape—certain of our subgietts, with a nombre of boyes and beggers, assembled themselfs togither, in our countie of Lincoln: and, forasmoche as the matier of this insurrection may be there noted a greater thing thenne it is, and soo spoken to our dishonour, we thought mete both of the cause, the thing as it is, and of our order taken for it, tadvertise youe,—as, of the cause and the state of the thing, we have don already. And for thorder, youe shall knowe, bicause our cousin of Suffolk maried the doughter of the lorde Willoughby, and is, by the same, a greate inheritor in those parties, we have sent him thither, as our lieutenant, and joyned with him the neighbors of the cuntrey theraboutes, that is to saye, therles of Shrewsbury, Rutland, and Huntingdon, the lord admyral, the lord Talbot, the lord Boroughe, the lord Clynton, Sir John Russell, Sir Ffrauncis Brian, Richard Crumwell, and all others having landes or rule theraboutes; who be nowe there, with a greate force, and shall, we doubt not, give the traitors the rewarde of their traitorous attemptate, very shortly. And yet, according to the auncient usage and custume of this realme, we have assembled, to wayte uppon us, to kepe all other partes in quiet, and to be sent against them (not for nede, but for thutter destroyeng of them, to thexample of all subgietts herafter) suche a puissant and mayne armye, of pure tried men,[1] as we thinke were hable to give the greatest prince christened thre greate and mayne batells; and yet the greate parte of oure realme is not touched; ne we were above vi dayes in the levieng and conveyeng of all these men to Ampthill, where we made the place of assemblee. We be sure the nombre wilbe no lesse thenne iiii^{xx}. M. tried men, whenne, they be

[1] [No such army had yet been levied; and when levied, it was because it was found to be absolutely necessary. On the 20th of October, nine days after the date of the present despatch, the privy council, writing to the duke of Norfolk, says, "because this matter seemeth to be so hot and dangerous, his grace desireth you to advertize him, by this bearer, whether you shall think it expedient, that his grace should levy an army, to attend upon his person, and so advance towards the said rebels."—Hardwicke Papers, i. 26.—*T.*]

togither; and, therfor, hearing this matier spoken of, you maye declare it to our good brother, as it is, and to all others, whatsoever shalbe bruted of the same; and therwithal, that we canne, at all tymes, returne every man home again to his house, or dwelling-place, in as shorte space, without tumult, or any maner of inconvenience. Yeven undre our signet, at our castell of Wyndesore, the xi day of October.

No. XLIII.—(*Referred to at page* 264.)

The Oath of the Northern Insurgents. Anno 1536.

[Stowe, 573; Speed, 1019.]

Ye shall not enter into this our *Pilgrimage of Grace* for the commonwealth only, but for the love that you do bear to God's faith, and the church militant, and the maintenance thereof, and the preservation of the king's person, and his issue, and the purifying of nobility, and to the intent to express all villains' blood, and evil counsellors against the commonwealth, from his grace, and the privy council of the same. And ye shall not enter into our said pilgrimage for any particular profit to yourselves, nor do any displeasure to any private person, but by the counsel of the commonwealth; ne to murder, or slay for any envy; but, in your heart, to put away all fear from the commonwealth, and to take before you the cross of Christ, and in your hearts his faith, to the restitution of God's church, and to the suppression of erroneous opinions.

No. XLIV.—(*Referred to at page* 266.)

Henry VIII. to Gardiner, Bishop of Winchester, and Sir John Wallop, his Ambassadors at the Court of France. Nov. 5, 1536.

[Extract from the original, in my possession.]

Henry R. By the king.

Right reverende father in God, right trusty, and right welbiloved, &c., we grete youe wel: and have receyved your lettres credencial, sent unto us by our trusty and welbiloved servant, John Hutton, governor of our merchants adventurers in Fflaunders, and at good length harde the credence commytted to the same. And forasmoche as, by oon parte therof, we perceyve that the matier of suche insurrections, as have been lately attempted here, by certain most traitorous, false, and detestable personnes, is there noysed, bruted, and setfurth, in a ferre other sorte thenne is true, wherby it appereth howe that, of a litle, those men canne sumtyme make moche, and somoche that it shall have nothing lesse in the same thenne truth, we have thought convenient, befor we shall entreate any other matier, in these our lettres, to declare

unto youe the state of all thinges here; to thintent youe maye boldely affirme the same to be true to all men, and in all presences, where you shall have any occasion, cause, or opportunytie to speake therof. And first, you shall understande that these rebellions have been attempted uppon false, fayned, and untrue surmyses and reaportes, setfurth amongs our people, by certain moost traitorous and sedicious personnes (being in the daunger of our lawes, and thinking not only, in that tumulte, to have gotten somme spoyle, but also to have therwith fledde, after, out of this our realme, in to other parties), wherof, nevertheles, a good nombre be apprehended and taken; and we doubt not but we shal, in brief tyme, also apprehende the residue, or the greate parte of the same, not yet taken. Secondely, whenne our people, being soo uppe, knewe, by the relacions of suche men as were sent to have repressed them by violence, if nede shuld have required, that they had been abused and deceyved, moche lamenting their offences, therin commytted against us by the lightnes of credite, and humbly desiring our pardon for the same, they did, in bothe shires of Lincoln and York, immediatly retyre themselfes again, every man to his house and dwelling-place; and, for a token of perfite submission and repentance, the Lincolnshire men have not only taken amongs themselfes a greate parte of the said principal traitors, being in warde for this rebellion, but have also delyvered, willingly and without any constraincte, in to the handes of our lieutenant that was sent against them, all the harneys and weapons within the hole shire: soo that, by this declaracion, youe maye perceyve the state of that countie. And as concernyng the Yorkshire men, they doo already, being thus retyred, lamente their traitorous attemptate, and make greate sute and labour for their pardon; soo that we have no doubt but we shall in tyme dispose of them what we woll, and bring them to like submyssion, as is alreadye made by them of Lincolnshire. And yet, we be not mynded to use any rigor, but to enforce them to folowe thexemple of the Lincolnshire men, in thapprehencion of their oune capitaines and ringleders; and soo to take compassion of the multitude, whiche doth appere alreadye most sory and repentant for their doings therin, as is expressed: and yet doo both shires remayn holly at our commaundement, neither having our pardon, ne any certain promyse of the same: and therfor youe maye be bold not only to declare the premyses, as they be befor specefied, but also to affirme that, against every of thinsurrections of those shires (being oon attempted aftre an other, and yet chiefly by oon principal auctor) we had in a redynes, and that within vi dayes for every of them, suche two armyes, as we thinke wold first have devoured the said rebelles, and yet have remayned right hable, every of them, aftre to have given mayne batel to the greatest

prince christened. And surely we be asmoche bounde to God, as ever was prince, both for that we founde our subgietts soo towarde, soo willing, and soo readye to have fought against the rebelles, that we were rather enforced to kepe them back, and to cause greate nombres to retyre home to their cuntreys, thenne, by any maner of allurements, to prycke them forwardes, whenne they perceyved ones that we mynded to move our fote against them, and for that, that, being our people soo uppe on both sides, we have them again in soo good quiet, without effusion of blodde, or the striking of any stroke, by either partie; whiche is sumwhat straunge, and, peradventure, hath not been often seen,—they being, as is said, suche a multitude, as, doubt youe not, had been hable, wel furnished with artillery, ordenaunce, and good capitaines, to have overthrowen the better of either themperor's, or Ffrenche king's armye.

* * * * *

Yeven undre our signet, at our castle of Wyndesor the vth daye of Novembre, the xxviiith yere of our reign.

Cromwell to the same.—Dec. 24th, 1536.

[Extract from the original in my possession.]

Aftre my right harty commendacions to your lordshippe and semblably to youe, maister Walloppe: Forasmoche as in your lettres of the xiiith of this moneth, lately addressed to the king's highnes, it appereth to his grace amongs other thinges, that there be diverse rumors spredde in those parties of the late rebellion attempted in the north parties of this realme, and specially oon, that, for mystrust whiche the nobles and gentlemen had in the commens, they were enforced to appease the matier with certain conditions and articles, to thintent youe maye knowe the certaintie therof, and prepare yourselfes the better both to setfurth the same, and to answer all men that wold saye anything to the contrary, his majestie's pleasure was I shuld signifie the parfite truth of thappeasing of that trouble and commotion unto youe: whiche is, that, first, there is no thing more false, thenne that the commens, assembled for the king's partie, were soo faynt and unwilling, that they wold not have doon their dieuties if it had comen to extremytie;[1] ffor youe shal understande, the very same brute was here told to the king's majestie;

[1] [From the earnestness with which this is asserted, coupled with the manifest contradictions and untruths contained in these despatches, there is good reason to conclude, that the report was well-founded, and that both Norfolk and Henry were unwilling to "adventure the king's honour in battle," solely because they were unable to rely on the fidelity of their troops. Hence, no doubt, it is that the council tells the duke of Henry's "regret to receive so many desperate letters, and, in the same, to hear no mention of the remedies." Hardw. Papers, i. 28.—*T.*]

wherupon his grace advertised the capitaines, and receyved answer, that they had perused and tryed their men, and founde no oon but they durst affirme wold doo his dieuty, whenne the case shuld require: and I am assured, both by advertisements made to the king and otherwise, that the most parte of the king's retynue in maner wept, whenne they were commaunded to retyre, considering the rebelles were not more extremely punished. Soo that you maye affirme it for certain trouth, that, onles the greate wisedom of the king's highnes, forseing that the stroke of batail shuld have but only diminished his force and strenght, and been thoccasion of infinite mischieves, had given straicte commaundements to his lieutenants, as in dede he did, that they shuld in no wise adventure his honor in batail, wherin he could have gotten nothing, but destroyed his oune membres that be ready to serve him, there had been suche extremytie, administred by the partie of his grace uppon the rebells, as it was to be feared the like was not seen in many yeres. And nowe those that be indifferent maye see both the greate wisedom and clemency of the king's majestie, whiche did rather devise to preserve his oune, with his honor, thenne jeoparde the losing of his oune; wherin, thoughe he could not have lost honor, in the cutting of of those corrupt membres, yet he shuld have wanted the use of them, whiche, being heled and recoverid as they be, maye and wil ever stande him in good stede.

Seconde, wheras it is reaported, that the matier shuld be taken uppe with conditions and articles, it is truth that, at the begyning, the rebelles made peticion to have obteyned certain articles; but, in thende, they went from all, and remytted all to the king's highnes pleasure, only in most humble and reverent sorte, desiring their pardon, with the greatest repentance that could be devised: insomoche as in their chief article, whiche, next their pardon, was for a parliament, for that they might have their pardon therin confirmed, they remytted thappointement of the same holly to the king's majestie, without the namying of tyme, place, or any other thing touching that matier: and this discours may you declare to all men for truth; for no man with truth canne impugne the same. And nowe my lord of Norffolk shall goo thither, to lye there, as the king's lieutenant, for the administracion of justice, and shall have a counsail joyned with him, as was appointed to the duke of Richmonde, at his lieing in those parties.

* * * *

And thus ffare you hartely well. Ffrom the Roulls, the xxiiiith of Decembre.

Your lordshippes assuryd ffreend,

Thomas Crumwell.

No. XLV.—(*Referred to at page* 300.)

Explanation of the Signatures of the Members of the Convocation, in 1536.

1. Thomas Crumwell, the king's vicegerent.
2. Thomas Cranmer, archb. of Canterbury.
3. Edward Lee, archb. of York.
4. John Stokesly, bishop of London.
5. Cuthbert Tunstal, bish. of Durham.
6. John Longland, bish. of Lincoln.
7. The same, as procurator for John Voysey, alias Harman, bish. of Exeter.
8. John Clerk, bish. of Bath.
9. Thomas Goodrich, bish. of Ely.
10. John Longland, bish. of Lincoln, as procurator for Rowland Lee, bish. of Coventry and Lichfield.
11. John Capon, alias Salcot, bish. of Bangor.
12. Nicholas Shaxton, bish. of Salisbury.
13. Edward Fox, bish. of Hereford.
14. Hugh Latimer, bish. of Worcester.
15. John Hilsley, bish. of Rochester.
16. Richard Sampson, bish. of Chichester.
17. William Rugge, al. Repps, bish. of Norwich.
18. William Barlowe, bish. of St. David's.
19. Robert Parfew, al. Warbington, or Warton, bish. of St. Asaph.
20. Robert Catton, abbot of St. Alban's, ob. 1538.
21. William Benson, or Boston, abbot of Westminster, ob. 1549.
22. John Melford, al. Reeve, last abbot of Bury St. Edmund's, ob. 1540.
23. Richard Whiting, abbot of Glastonbury. Executed in 1539.
24. Hugh Cook, al. Farringdon, last abbot of Reading.
25. Robert Frampton, last abbot of Malmesbury.
26. Clement Litchfield, last abbot of Evesham.
27. John Hammond, last abbot of Battle.
28. William Malvern, al. Parker, abbot of St. Peter's, Gloucester.
29. Richard Anselme, al. Mounslow, last abbot of Winchcomb.
30. John Welles, al. Bridges, last abbot of Croyland.
31. Robert Blythe, last abbot of Thorney.
32. Robert Fuller, last abbot of Waltham.
33. John Blake, last abbot of Cirencester.
34. John Walker, abbot of Tewkesbury.
35. Thomas Campsele, or Kampswell, last prior of Coventry.
36. John Cook, abbot of Oseney.
37. Henry ——, abbot "de Gratiis:"—Grace-Dieu, in Monmouthshire?
38. Anthony Kitchen, al. Dunstan, last abbot of Eynesham, afterwards bishop of Landaff.
39. Robert Wells, al. Stewarde, last prior of Ely.
40. Robert Holgate, last prior of Sempringham, afterwards bishop of Landaff.
41. Richard Ridge, last abbot of Notley.
42. Hugh Olives, al. Whitewick, last prior of Huntingdon.
43. William Huddlestone, last abbot of Stratford.
44. Gabriel Donne, last abbot of Buckfastre.
45. Henry Emery, last abbot of Wardenor.
46. John Bowle, last prior of Merton.
47. Richard Vowell, last prior of Walsingham.
48. Thomas Shepyshed, last abbot of Gerondon.
49. Thomas, abbot of Stanley.
50. Richard Green, last abbot of Bytelsden.
51. Richard Hempsted, or Hart, last prior of Llanthony.
52. Robert King, last abbot of Thame.
53. John Burne, last prior of Newenham.
54. Ralph Fairfax, last prior of Keyme.
55. Richard King, last abbot of Bruerne.
56. Robert Whitgift, last abbot of Wellow.
57. Bartholomew Linsted, al. Fowle, last prior of St. Mary Overy, Southwark.
58. William Marley, last prior of Abergavenny.
59. Thomas Pentecost, al. Rowland, last abbot of Abingdon.

INFERIOR DOMUS.

60. Richard Gwent, archd. London and Brecon.
61. Robert Aldrydge, archd. Colchester.
62. Thomas Beydell, archd. Cornwall.
63. Richard Strete, archd. Derby, and procurator of the clergy of Coventry and Lichfield.
64. David Pole, archd. Salop, and procurator of the archd. and clergy of Coventry.
65. Richard Doke, archd. Sarum.
66. Edmund Bonner, archd. Leicester.
67. Thomas Baghe, archd. Surrey.

68. Richard Rawson, archd. Essex.
69. Edmund Cranmer, archd. Canterbury.
70. Polydore Virgil, archd. Wells.
71. Richard Coren, archd. Oxford.
72. Henry Morgan, procurator of the clergy of Lincoln.
73. Peter Vannes, archd. Worcester.
74. George Hennage, dean of Lincoln.
75. Milo Spencer, procurator of the clergy of Norwich.
76. William Knight, archd. Chester.
77. Gamaliel Clyfton, dean of Hereford, and procurator of the chapter.
78. John London, dean of Wallingford.
79. Nicholas Metcalf, archd. Rochester.
80. William Hedge, procurator of the clergy of Norwich.
81. Adam Traves, archd. of Exeter.
82. Richard Woleman, dean of Wells.
83. Thomas Brerewode, archd. Bath, and procurator of the chapter and clergy of Exeter.
84. George Carew, archd. Totton, procurator of the chapter and clergy of Exeter.
85. Thomas Benet, procurator of the clergy and chapter of Sarum.
86. Richard Arche, procurator of the clergy and chapter of Sarum.
87. Peter Ligham, procurator of the clergy of Canterbury.
88. Edmund Steward, procurator of the clergy of Winchester.
89. John Rayne, procurator of the clergy of Lincoln.
90. Leonard Saville, procurator of the clergy of the archdeaconry of Lewes.
91. Simon Matthew, procurator of the clergy of London.
92. Humphrey Ogle, archd. Salop.
93. Richard Layton, archd. Bucks.
94. Hugh Coren, procurator of the clergy of Hereford.
95. Richard Sparcheford, procurator of the clergy of Hereford.
96. Maurice Griffyth, procurator of the clergy of Rochester.
97. William Buckmaster, procurator of the clergy of London.
98. Richard Sheltan, master of Metingham College, in Suffolk,—by me,
99. William Glynn, archd. Anglesey.
100. Robert Evans, dean of Bangor.
101. Walter Cretyng, archd. Bath.
102. Thomas Bagard, procurator of the clergy of the diocese of Worcester.
103. John Nase, procurator of the clergy of Bath and Wells.
104. George Wyndham, archd. Norwich.
105. William Maye, procurator of the clergy of Ely.
106. Rowland Philyps, procurator of the chapter of St. Paul's, London.
107. John Bell, archd. Gloucester.
108. John Chambre, dean of St. Stephen's, and archd. Bedford.
109. Nicholas Wilson.

No. XLVI.—(*Referred to at page* 303.)

Henry VIII. to Gardiner, Bishop of Winchester, and Sir John Wallop, his Ambassadors in France. Nov. 17, 1535.

[Extract from the original, in my possession.]

Henry R.— By the King.

Right reverende father in God, right trusty and right welbiloved, we grete youe well, lating youe wit, that * * * * being advertised out of Fraunce, that this our good brother's disease grewe partely, at this tyme, unto him, of malencoly and displeasure, for that he could not yet mete with themperor, whiche injustely deteyneth from him and his children their right and enheritance of Millayn, with diverse other notable seigneories and dominions, * * * * * * * * * * * * * ye shall saye unto him, that, in case he wold nowe waye and consider his oune matiers himself, and note howe princes have been, he wold not slepe these thinges any lengre, that soo nerely touche [him], ne suffer a forayn usurper to spoyle and robbe yerly his kingdom of that whiche is due to himself, who is, by Goddis lawe, intiteled to the gifte of all the

benefices within the same, and ought to reduce, without consultacion of any man out of his realme, his clergie to an ordre and conformytie: wherin, if he shall thoroughly marke our procedinges, and folowe the same, he shall well perceyve both howe kingis have been deluded, and howe easie it shuld be for him, with the inestimable treasure he shuld receyve yerly, whiche he nowe suffereth the said usurper to take from him, without color of right for the same, to recover his oune, maulgre the hedds of all his enemyes, and therwithall to doo greater thinges, both towardes himself and his frendes, thenne, befor thexperience of them, men canne think or conjecture. But ye may saye unto him, that this matier will not be consented to, moch lesse compassed willingly, by suche as be eyther given to their oune affections and pleasures, or be elles membres of the papistical kingdom: In whiche matier our pleasure is, ye shall noon otherwise procede, but as ye shall see him inclynable; * * * tempering your communication in suche wise, as ye maye, with your wisedom and dexteritie, persuade him indifferently to waye our procedinges towardes the bishop of Rome and our clergie, and to immytate and folowe the same, the benefite wherof shall chiefly redounde to himself, with the greate rejoyse and comforte of all those that wold him good or honor.

* * * * * *

* * * * *

Ye shall also understande, that we have well noted and considered tharticles of the newes of Almayn, writen to Monsr. de Langeyr, and sent unto us by youe, Sir John Wallop, theffecte wherof evidently declareth howe themperor, with his consultacion in the counsail at Spire, touching the validitie or invaliditie of the gifte pretended by Constantyne to Sylvestre, wherin the negatyve parte prevayled, hath soo perplexed the bishop of Rome, and, not without cause, put him in suche feare, as it is thought and writen by the cardinall of Bellaye, that he wold be gladde, to reconcile us, to redubbe all that he hath attempted against us, soo as we might joyne with our good brother in his defence, against themperor; by whiche tumult, and lightlywood of further sequel, to thacomplishment of that, whiche is herin conceyved by themperor, fforasmoche as we see and certainly perceyve that there must herby ensue to the world, whiche waye soever the ende fall, an approbacion of our procedinges (as, first, if themperor folowe his purpose, and acchieve it, wherby it shalbe resolved that the bishop of Rome is but vassall to themperor, thenne must even themperor himself confesse the said bisshoppe's processes against us to be of no force or effecte, and, reconsiling himself, put out of his brest suche grives and displeasures, as he hath, percace, by the meane therof, engendred and conceyved

against us: on thother parte, if the bisshop of Rome, who wil not faile to practise all he canne devise for his defence, shall, for our reconciliation, revoke suche censures and sentences, as his predecessor and he have maliciously spitt out against us, and shal give a sentence diffinityve for us, according to the justice of our procedinges, it shall not only appere howe injuriously and naughtely we have been therin handeled, or rather slaundred by him, his predecessor, and other pretending to have an interest of medling in the same, but also wipe awaye, in like maner, all grudges depending betwene us and the said emperor), our pleasur therefor is, that ye shal tak occasion, of yourself, to fall in communication with our good brother, touching these newes, alleaging the same to be sent us for certain and true, from our frendes in Almayn: wherin ye shal as well engreve the daunger immynent unto him, if themperor may establishe his monarchie in Rome, and soo therby obteyne and enjoye Italy in quiet (who, in that case, shal of lightlywood, mak his next enterprise uppon him, with whom only he shal thenne have best color of querel), as declare therwith what stede we may, in that case, stande him in, whome ye knowe to be so firmely knytt unto him in love and parfite frendeship, as there canne be no injurie or displeasure inferred to him, but we must and woll accompt it doon to ourself, and think our parte therin: Wherby ye shal enter in to his brest, and both perceyve howe he taketh and estemeth those newes, and also what he woll certainly doo for thempechement of the said emperor's enterprises. Soo he shal nevertheles styck and abide soo firmely, and hast so slowly in the conclusion by degres of your articles to be concluded in this treatie, without over sone relenting in any pointe of the same, as they may think that we esteme this matier doon altogither for their benefite, and no whit for ours, who, by all lightlywood, shall not, in dede, have soo grete nede of them, as they shal have of us. * * * * Yeven undre our signet, at our castle of Wyndesor, the xvijth daye of Novembre.

Cromwell to Gardiner. Nov. 19, 1535.

[Extract from the Original, in my possession.]

My veray good lorde, aftre my moost harty commendacions, &c. * * * The kingis highnes desireth youe to remembre the declaracion to the French king of tharticles sent by Melancton, Luther's epistle in the same, with thother circumstances conteyned in the copies lately sent unto you. Ye shall also receyve herwith a dosen of your orations, and an other dosen of the deane's, whiche the kinge's pleasure is, ye shall, by thadvise of Mr. Brian and maister Wallop, destribute to suche

personnes there, as amonges youe ye shall think convenient.[1] * * * *
From the Roulles, the xixth daye of Novembre.

Your lordshippes assuryd
THOMAS CRUMWELL.

Henry VIII. to Gardiner and Wallop, in France. Feb. 3, 1536.

[Extract from the Original, in my possession.]

Henry R. By the King.

Right reverende ffather in God, right trusty and right welbiloved, and trusty and right welbiloved, we grete you wel. Lating youe wit, that * * * * * *
* * * *
we have thought good to signifie unto youe, that, noting their progresse (the progress of some late conferences between Gardiner and the French king) we perceyve the same, at the last, to tende to a contribucion, for the advauncement wherof the greate master alleged the pretended sentence, and affirmed that the realme of Ffraunce could not be interdicted. * * * Wherfor, uppon the receipt herof, ye shal again repair to the courte, and enter treatie and communicacion with our good brother's counsail uppon this our answer to the material poyntes of your late conferences had with the same; declaring specially unto them, that * * * *
we mervayl moche that our good brother and his counsail do not compare the stede, which the hole realme of Ffraunce may have, and hath, by us and our realme, with the benefite they may take by the bishop of Rome. If they have grounded their love towardes him uppon thaffection they bere to his personne, they must thenne consider he is but a mortal man, as other be, and, by all lightlywood, more nere his ende

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[1] [By Melancthon's "articles," is probably meant his commentaries on the Epistles, which were dedicated and transmitted to Henry, and in return for which the latter sent him, in October, 1535, a present of 200 crowns, with a letter of thanks and encouragement (Strype i. 232). "Luther's epistle" was, unquestionably, the letter written by that reformer, at the instance of the divines of Wittemberg, wherein he made his submission, and apologized to Henry for the intemperance of his former writings (Burnet, iii. 111, 112.). Gardiner's own 'oration' was his latin treatise '*De verâ obedientiâ*'; that of the 'dean' was the work, published in defence of the king's supremacy, by Dr. Richard Sampson, dean of Windsor (Strype, Mem. i. 192, 225.). Burnet has published a paper of "instructions," in which Cromwell is ordered to supply Barnes, Haynes, and Mount, when about to proceed to France and Germany, and Wallop, already with Gardiner in Paris, with copies of the "book made by the dean of the chaple, and of the bishop's sermons": but he has erroneously assigned it to the year 1536 (Hist. Reform. iii. 110, and, Rec. 97.). Gardiner's treatise is printed in Brown's Fasciculus rerum expetend. (ii. 800.): Sampson's, in Strype's Memorials, i. append. 109.—*T.*]

thenne the most parte of other be; and that, whenne he shalbe goon, leaving non inheritance behinde him, that percace be of his inclynacion, our realme shal still contynue the same it was and is, and be hable, in al fortunes, to concurre with them, and to doo them ever more pleasure thenne the bishop of Rome could have doon, whenne he was proudest. Again, if they adhere and cleave fast unto him, for the devocion they have to his see, let them considre what mischief and abhomynacion hathe growen in to the world by the mayntenaunce therof, and the wynking at thabusions of the same: in somoche, that the bishoppes therof have soo encroched uppon prynces, as they woold hold them in the lieu of subgietts, with suche a yoke of servilitie and bondage, as they shuld doo nothing within their territories and dominions, where, by Godde's worde, they be heddes and supreme ministres of justice, but at their arbitre and pleasure; specially if it touche oon of their kingdom, thoughe their offence extended to heresie, treason, and suche other detestable crymes as wold infest a hole commune wealthe, if they were not quyklye extinguished, cut uppe by the rotes and removed; like as for an exemple, the bishop, that nowe is, wold lately have made a querel to us for thexecution of the late bishop of Rochestre, and certain his confederates in conspiracy and conjuration, whiche wold both have destroyed our personne and subverted the hole state and quiet of our realme; the matier wherof may be a spectacle for all princes, and a meane to cause them to remembre their estates, and to joyne with us in the repression of his pride, whiche wold pull their crownes from their heddes, and set them uppon his oune; with a nombre wherof he hath been a greate while disgised. And to thintent our state may be playne and apparant, let them again considre that, if the bishoppe of Rome, having nowe left, of the matiers befor specified, non ancre to hold by, wold yet pretende a quarel for the withdrawing of suche exactions as he hath had yerly, but injustly, out of this our realme, albeit we might playe the lawyer with him, and saye that the tyme of prescription, without a just title at the begynning, maketh no proprietie, ne canne with contynuance make good that was first nought, yet we may leave al that disputacion, and aske indifferent men whither the vicar of Christ, as he wold be called and taken, may, with the preservacion and contynuance of his office, uppon his displeasure for a money matier, wrongfully also exacted, labor to slaunder princes, and, with lyes and falshoddes, travayl to bring them togither by the eares, with the miserable effusion of christen bloode, only for revenging of the forsaid querel. Christ was thautor and thauctor of peax, and soo appered al those that were his folowers, even whenne they lost, not their treasures (wherof twayne or thre of the best of them had scant somoche as the bishop of Rome nowe

hath himselfe alone), but their lyves, for conservacion and confirmacion of this peax: Whiche thinges if the greate maister had considered, he shuld have seen and perceyved what foly it had been for him, to use the bragge of suche a sentence for a meane to work their purpose, where freendship only ought to have place and be regarded. * * * * * * * * And, as touching their goodly golden privileage, ye may saye, we thought it necessary that ye shuld signifie unto them, that, if they be soo privileaged in deade, as they affirme, or, at the least, canne be soo privileaged, we have litle cause to ayde them, and soo firmely to cleave unto them as we doo, and wil doo, onles they abuse us tomoche, and with contynuel ingratitude shall abandon us, whiche, by their oune confession, having the shelde therof to defende them from all daungers, inconveniences, and annoyances, doo refuse, nevertheles, in playne termes, to capitulate with us against the bishop of Rome, whiche have as litle nede to require them to doo it (saving only we love and desire in all thinges to procede directly), as they have, by their oune affirmacions, cause to doubt it. If they wil joyne syncerely with us, that is to saye, expresse in writing that they saye they will, if nede shuld require, doo, in deades, against all men generally, thenne shal they fynde us an assured freende: * * * * and therfor ye shal saye, that, albeit, notwithstanding these former abuse and folyes, we canne be content to ayde and assist them in their enterprises, yet we be certainly determyned, both, in that case, to have them enter with us in playne termes, touching the bishop of Rome (specially seing we be like to have non other reciproque), and to have their devise befor, howe we may contribute with them. and preserve our amytie with themperor, &c., &c.

* * * * * *

Yeven under our signet, at our manor of Grenwich the iiid daye of Ffebruary.

The same to the same.—April 30th, 1538.

[From the original in my possession.]

Hereafter ensue the articles, which, uppon the vieu and sight of the demaundes of the French men, ye shall exhibite for our parte, joyning to the same suche other their reciproques as be not conteyned in this boke.

Henry R.—

Ffirst, that the Frenche king shall defende the kingis highnes, his realme, subjects, vassalles, domynyons, possessions, contries and terrytories, wheresoever they be or lye, ayenst themperour, and all other supreme potentates, prynces, states, or seigneouries, of what estate, dignite, degree, or condycyon soever they, or any of them, be; and by

what name or names soever they, or any of them, be named or called; and of what power or auctoryte soever they, or any of them, be reputed, for all manner of causes, querelles, or matiers, that be, or may be, pretended executed or doon agaynst his highnes, his realme, subjectes, vassalles, domynyons, possessions, countreys, and terrytories, or any of them, in any manner of wise, or by any manner of meane.

Item, that the saide Frenche king shall declare himself, according to his amyties alredy made, to not stande content with the injuries alredy don, by the bishop and his cardynalls of Rome, to his dere brother and confederat, the king of Englonde, and that, in case he doth not abrogate, adnichilate, and make voyde and frustrate all and all manner of processes, censures, excommunications, interdictions, sentences, decrees, and all other kyndes of judgements and execucions of the same, what soever they be, or by what soever name or names they be, or may be, called, or of what soever nature, qualyte, or condycyon they, or any of them, be of, which now depende, or, at any tyme heretofore, hath depended, in any of the saide bishop of Rome's courtes, or such others as, at any tyme heretofore, hathe ben had, don, moved, attempted, or dyvulged by the saide bishop, or any his predecessours, [or] by any of their auctorytees, against the kingis highnes, his realme, subjectes, vassalles, domynyons, possessions, countreys, and territories, or any of them, that then, and in that case, any amyties made, or hereafter to be made, between them, to stande in no force or strength, but to be reputed as none, and so to lose their force.

Item, the saide Frensh king shall not, at any tyme, take any manner of peax with themperor, but suche as he shall first signefie to the kingis highnes, and have his consent and expresse agrement in wryting to the same.

Item, that, in case the kingis highnes shall chaunce hereafter to make any warre in Fflaundres, or any of themperour's domynyons, or elles where, that, in such case, the said Frensh king shall contribute like somes of money with his highnes, as his grace shall now contribute with m.

Item, that there shalbe one speciall article inserte in the treatie, that aswell the kingis highnes, as the Frensh king, within three monethes after the date thereof, before notaries and witnesses, specially called and requyred for that purpose, in the presence also of the orator or thoratours of eyther prynce, to be appoynted by them, and eyther of them, to see and requyre the same, shall openly, publiquely, expressly, and in wryting, of their certeyn science, and in the strength and force of a pacte, utterly renounce and forsake all and singuler pryvyleges, dispensacions, causes, reasons, pretences, and occasions, and also almanner of remedies,

what soever they or any of them be, of the lawe or of the facte, in generalite or in specyalite, to the saide prynces, or eyther of them, their realmes or domynyons, by the law or by any man, under what soever force of wordes, teanor, or forme, graunted or to be graunted, in as effectuel sorte manner and facion, as if they had ben here specyally by name and expressely inserted, remembred, and repeted, by the which the effecte of this treatie, or of any parte or parcell thereof, may, by any manner of meane, be letted, defrauded, or impeched, the lawe or canon, by the which it is ordeyned that a generall renunciacyon of any pryvylege, exception, or any other benefite to come, shall not be good and effectuel, or any other thing, cause, or matier whatsoever to the contrary hereof in any wise notwithstanding.

Item, that the oratours and commissioners may likewise, in the names of both prynces, by vertue of their commissions, make, in the saide treatie, openly and in the strength and force of a pacte, like renuncyacion of all pryvileges, &c., according to the teanor of the article before wrytten.

Item, that the saide Frenche king shall in no wise consent to the indiction of any generall counsail, without the expresse consent of the kinge's highnes before had and obteyned in wryting to the same.

Item, that the saide French king shall, at no tyme hereafter, take any peax with themperour, but he shall covenante and agree with him, in the treatie to be made of the same, that the saide emperour shall not only take and repute all the bishop of Rome's procedinges ayenst us as inane, frustrate, and of no force or effecte, but further bynde him, in the strength of a covenaunte, that he shall do as moche as in him shall lye, to cause the saide bishop himself to adnychilate and declare voyde all his saide procedinges ayenst us, to all intentes, effectes, and purposes.

No. XLVII.—*(Referred to at page* 308.*)*

An Act for Abolishing of Diversity of Opinions in certain Articles concerning Christian Religion, commonly called the Statute of the Six Articles.

[Stat. 31, Hen. VIII. Cap. 14.]

I. Where the king's most excellent majestie is by God's law supream head, immediately under him, of this whole church and congregation of England, intending the conservation of the same church and congregation in a true and sincere and uniform doctrin of Christ's religion, calling also to his blessed and most gracious remembrance, as well the great and quiet assurance, prosperous increase, and other innumerable commodities, which have ever issued, come, and followed, of

concord, agreement, and unity in opinions, as also the manifold perils, dangers, and inconveniences, which have heretofore, in many places and regions, grown, sprung, and arisen, of the diversities of minds and opinions, especially of matters of Christian religion; and therefore desiring, that such an unity might and should be charitably established in all things touching and concerning the same, as the same, so being established, might chiefly be to the honour of Almighty God, the very author and fountain of all true unity and sincere concord, and consequently redound to the common wealth of this his highness' most noble realm, and of all his loving subjects, and other resiants and inhabitants of or in the same, hath therefore caused and commanded this his most high court of parliament, for sundry and many urgent causes and considerations, to be at this time summoned, and also a synod and convocation of all the archbishops, bishops, and other learned men of the clergy of this his realm, to be in like manner assembled.

II. And forasmuch as, in the said parliament, synod and convocation, there were certain articles, matters, and questions, proponed and set forth touching Christian religion, that is to say,

First, Whether, in the most blessed sacrament of the altar, remaineth, after the consecration, the substance of bread and wine, or no?

Secondly, Whether it be necessary, by God's law, that all men should communicate with both kinds, or no?

Thirdly, Whether priests, that is to say, men dedicate to God by priesthood, may, by the law of God, marry after, or no?

Fourthly, Whether vows of chastity or widowhead, made to God advisedly by man or woman, be, by the law of God, to be observed, or no?

Fifthly, Whether private masses stand with the law of God, and be to be used and continued in the church and congregation of England, as things whereby good Christians may do and receive both godly consolation, and wholesome benefits, or no?

Sixthly, whether auricular confession is necessary to be retained, continued, used, and frequented, in the church, or no?

III. The king's most royal majesty, most prudently pondering and considering, that, by occasion of variable and sundry opinions and judgments of the said articles, great discord and variance hath arisen, as well amongst the clergy of this his realm, as amongst a great number of the vulgar people, his loving subjects of the same; and being in a full hope and trust, that a full and perfect resolution of the said articles should make a perfect concord and unity generally among all his loving and obedient subjects, of his most excellent goodness not only commanded that the said articles should deliberately and advisedly, by his said arch-

bishops, bishops, and other learned men of his clergy, be debated, argued, and reasoned, and their opinions therein to be understood, declared, and known, but also most graciously vouchsafed, in his own princely person, to descend and come unto his said high court of parliament and council, and there, like a prince of most high prudence, and no less learning, opened and declared many things of high learning and great knowledge, touching the said articles, matters, and questions, for an unity to be had in the same: Whereupon, after a great and long, deliberate, and advised disputation and consultation, had and made concerning the said articles, as well by the consent of the king's highness, as by the assent of the lords spiritual and temporal, and other learned men of his clergy in their convocations, and by the consent of the commons, in this present parliament assembled, it was and is finally resolved, accorded, and agreed, in manner and form following, that is to say,

IV. First, That, in the most blessed sacrament of the altar, by the strength and efficacie of Christ's mighty word (it being spoken by the priest), is present, really, under the form of bread and wine, the natural body and blood of our Saviour, Jesus Christ, conceived of the Virgin Mary; and that, after the consecration, there remaineth no substance of bread or wine, nor any other substance, but the substance of Christ, God and Man.

Secondly, That the communion in both kinds is not necessary *ad salutem*, by the law of God, to all persons; and that it is to be believed, and not doubted of, but that in the flesh, under the form of bread, is the very blood, and with the blood, under the form of wine, is the very flesh, as well apart, as though they were both together.

Thirdly, That priests, after the order of priesthood received, as afore, may not marry, by the law of God.

Fourthly, That vows of chastity, [and] widowhead, by man or woman made to God advisedly, ought to be observed, by the law of God; and that it exempteth them from other liberties of Christian people, which, without that, they might enjoy.

Fifthly, That it is meet and necessary that private masses be continued and admitted in the king's English church and congregation, as whereby good Christian people, ordering themselves accordingly, doe receive both godly and goodly consolations and benefits: and it is agreeable also to God's law.

Sixthly, That auricular confession is expedient and necessary to be retained and continued, used and frequented, in the church of God.

V. For the which godly study, pain, and travel of his majesty, and determination and resolution of the premises, his humble and obedient subjects, the lords spiritual and temporal, and the commons in this

present parliament assembled, not only render and give unto his highness their most high and hearty thanks, and think themselves most bound to pray for the long continuance of his grace's most royal estate, but also, being desirous that his most godly enterprise may be well accomplished, and brought to a full end and perfection, and so established, that the same might be to the honour of God, and after, to the common quiet, unity, and concord, to be had in the whole body of this realm for ever, do most humbly beseech his royal majesty, that the resolution and determination above written of the said articles may be established and perpetually perfected, by authority of this present parliament.

It is therefore ordained and enacted, by the king our soveraign lord, the lords spiritual and temporal, and the commons in this present parliament assembled, and by authority of the same, that if any person or persons within this realm of England, or any other the king's dominions, after the twelfth day of July next coming, by word, writing, imprinting, ciphering, or in any other wise, do publish, preach, teach, say, affirm, declare, dispute, argue, or hold any opinion, that, in the blessed sacrament of the altar, under the form of bread and wine (after the consecration thereof), there is not present really the natural body and blood of our Saviour, Jesus Christ, conceived of the Virgin Mary, or that, after the said consecration, there remaineth any substance of bread or wine, or any other substance but the substance of Christ, God and Man; or, after the time abovesaid, publish, preach, teach, say, affirm, declare, dispute, argue, or hold opinion, that in the flesh, under the form of bread, is not the very blood of Christ, or that with the blood, under the form of wine, is not the very flesh of Christ, as well apart as though they were both together; or, by any the means abovesaid, or otherwise, preach, teach, declare, or affirm the said sacrament to be of other substance than is abovesaid, or by any means contemn, deprave, or despise the said blessed sacrament; that then every such person and persons so offending, their aiders, comfortors, counsellors, consentors, and abettors therein, being thereof convicted, in form underwritten, by the authority abovesaid, shall be deemed and adjudged hereticks: and that every such offence shall be judged manifest heresy: And that every such offender and offenders shall therefore have and suffer judgment, execution, pain, and pains of death, by way of burning, without any abjuration, clergy, or sanctuary, to be therefore permitted, had, allowed, admitted, or suffered: And also shall therefore forfeit and lose to the king's highness, his heirs and successors, all his or their honours, manors, castles, lands, tenements, rents, reversions, services, possessions, and all other his or their hereditaments, goods and chattels, farms and freeholds, whatsoever they be, which any such offender or offenders shall have, at the time of any such offence

or offences, committed or done, or at any time after, as in cases of high treason.

VI. And furthermore be it enacted, by the authority of this present parliament, that, if any person or persons, after the said twelfth day of July, preach in any sermon or collation, openly made to the king's people, or teach in any common school, or to other congregation of people, or, being called before such judges, and according to such form of the law, as hereafter shall be declared, do obstinately affirm, uphold, maintain, or defend, [that the communion of the said blessed sacrament in both kinds, that is to say, in form of bread and also of wine, is necessary, for the health of man's soul, to be given or ministered, or ought or should be given or ministered to any person in both kinds; or that it is necessary to be received or taken by any person (other than by priests being at mass, and consecrating the same); or that any man, after the order of priesthood received, as aforesaid, may marry or may contract matrimony; or that any man or woman, which advisedly hath vowed or professed, or should vow or profess, chastity or widowhood, may marry, or may contract matrimony; or that private masses be not lawful, or not laudable, or should not be celebrated, had, nor used in this realm, nor be not agreeable to the laws of God; or that auricular confession is not expedient and necessary to be retained and continued, used and frequented, in the church of God]; or if any priest, after the said twelfth day of July, or any other man or woman, which advisedly hath vowed, or, after the said day, advisedly do vow, chastity or widowhood, do actually marry, or contract matrimony with any person,—That then, all and every person and persons, so preaching, teaching, obstinately affirming, upholding, maintaining, or defending, or making marriage, or contract of matrimony, as is above specified, be and shall be, by authority above written, deemed and judged a felon and felons: And that every offender in the same, being therefore duly convicted or attainted, by the laws under written, shall therefore suffer pains of death, as in cases of felony, without any benefit of clergy, or privilege of church or sanctuary, to him or her to be allowed in that behalf, and shall forfeit all his or her lands and goods, as in cases of felony: And that it be lawful to the patron or patrons of any manner of benefice, which any such offender, at the time of his said conviction or attainder, had, to present one other incumbent thereunto, as if the same person so convicted or attainted had been bodily deceased.

VII. Also be it enacted, by the authority aforesaid, that, if any person or persons, after the said twelfth day of July, by word, writing, printing, ciphering, or otherwise than is above rehearsed, publish, declare, or hold opinion, &c. (*as between the brackets in the preceding para-*

graph ;) every person, being for any such offence duly convicted or attainted, by the laws underwritten, shall forfeit and lose to the king, our Soveraign Lord, all his goods and chattels for ever, and also the profits of all his lands, tenements, annuities, fees, and offices, during his life, and all his benefices, and spiritual promotions shall be utterly void, and also shall suffer imprisonment of his body, at the will and pleasure of our said Soveraign Lord, the king. And if any such person or persons, being once convict of any the offences mentioned in this Article, as is abovesaid, do afterward eftsoons offend in any of the same, and be thereof accused, indicted, or presented, and convict again, by authority of the laws underwritten, that then every such person and persons, so being twice convict and attainted of the said offences, or of any of them, shall be adjudged a felon and felons, and shall suffer judgment, execution, and pains of death, loss and forfeiture of lands and goods, as in cases of felony, without any privilege of clergy or sanctuary to be in anywise permitted, admitted, or allowed, in that behalf.

VIII. Be it further enacted, by the authority abovesaid, that, if any person, which is or hath been a priest, before this present Parliament, or during the time of session of the same, hath married and hath made any contract of matrimony with any woman, or that any man or woman, which, before the making of this Act, advisedly hath vowed chastity or widowhood, before this present Parliament, or during the session of the same, hath married and contracted matrimony with any person, that then every such marriage and contract of matrimony shall be utterly void and of none effect: and that the ordinaries, within whose diocese or jurisdictions the person or persons, so married or contracted, is or be resident or abiding, shall, from time to time, make separation and divorces of the said marriages and contracts.

IX. And further it is enacted, by the authority aforesaid, that if any man, which is or hath been priest, as is aforesaid, at any time, from or after the said twelfth day of July next coming, do carnally keep or use any woman, to whom he is or hath been married, or with whom he hath contracted matrimony, or openly be conversant, keep company or familiarity with any such woman, to the evil example of other persons, every such carnal use, copulation, open conversation, keeping of company and familiarity, be and shall be deemed and adjudged felony, as well against the man as the woman; and that every such person so offending shall be enquired of, tried, punished, suffer, lose and forfeit all and every thing and things, as other felons made and declared by this Act, and as in case of felony as is aforesaid.

X. Be it also further enacted, by the authority aforesaid (not giving advantage or detriment to any Article afore rehearsed), that, if any man,

which is or hath been priest, or hereafter shall be, at any time after the said twelfth day of July, do carnally use and accustome any woman, or keep her as his concubine, as by paying for her board, maintaining her with money, array, or any other gifts or means, to the evil example of other persons, that then every such offender, being thereof duly convicted or attainted by the laws mentioned in this Act, shall forfeit and lose all his goods and chattels, benefices, prebends, and other spiritual promotions and dignities, and also shall have and suffer imprisonment of his body, at the king's will and pleasure: and that every of the said benefices, prebends, and other promotions and dignities, shall be, to all intents and purposes, utterly void, as if the said offender had resigned or permuted: and if any such offender or offenders, at any time after the said conviction or attainder, eftsoons commit, doe, or perpetrate the said offences, or any of them, next afore rehearsed, and be thereof duly convicted or attainted by the laws aforesaid, that then all and every such offence and offences shall be deemed and adjudged felony, and the offender and offenders therein shall suffer paines of death, and lose and forfeit all his and their goods, lands, and tenements, as in cases of felony, without having any benefit of clergy or sanctuary.

XI. And be it further enacted, by the authority aforesaid, that those women, with whom all and singular the aforesaid priests shall, in any of the foresaid ways, have to doe with, or carnally know, as is aforesaid, shall have like punishment as the priests.

XII. And be it further enacted, by authority abovesaid, that, if any person or persons, at any time hereafter, contemn, or contemptuously refuse, deny, or abstain to be confessed, at any time commonly accustomed within this realm and church of England, or contemn, or contemptuously refuse, deny, or abstain to receive the holy and blessed sacrament abovesaid, at the time commonly used and accustomed for the same, that then every such offender, being thereof duly convicted or attainted by the laws underwritten, shall suffer such imprisonment, and make such fine and ransome to the king, our soveraign lord, and his heirs, as by his highness, or by his or their council, shall be ordered and adjudged in that behalf: and if any such offender or offenders, at any time or times, after the said conviction or attainder so had, doe eftsoons contemn or contemptuously refuse, deny, or abstain to be confessed, or to be communicate, in manner and form above written, and be thereof duly convicted or attainted by the laws underwritten, that then every such offence shall be deemed and adjudged felony, and the offender or offenders therein shall suffer paines of death, and lose and forfeit all his and their goods, lands, and tenements, as in cases of felony.

[*There are sixteen other clauses in this act. They authorise the king*

to appoint Commissioners for enforcing its provisions, empower the Commissioners to hear and decide all cases connected with it, and command all mayors, sheriffs, and other civil officers to give whatever assistance those Commissioners may require, for its due execution. By the last clause, the words, "advisedly made to God," *in the fourth of the six Articles, are interpreted to apply to the deliberate vows only of such persons, as at the date of the vow, shall have attained the full age of twenty-one years.—T.*]

No. XLVIII.—(*Referred to at page* 311.)

Proclamation for a Uniformitye in Religion. An. 1539.

[Cleop. E.V. 303.]

The king's most royall majestie hath been enfourmed, that great murmurs, malice, and malignitie is rysen and sprong amongs dyvers and sundrye of his subjects, by dyversyties of opynions; some of theym mynding craftely, by their preachinge and hearinge, to restore into this realme the olde devotion to the usurped power of the bisshop of Rome, the ippocryte religion, superstitious pilgrymage, idollatry, and other evell and naughty ceremonyes and dreames, justly and lawfully abolysshed and taken awey by authorytie of Goddes worde, and to allure the people agayne to the same; and some, after taking and gathering divers holy scriptures to contrary censes and understanding, doo so wreste and interpretate and so untruely alledge the same, to subverte and overtournne as well the sacraments of holy church, as the power and authorytie of prynces and magistrates, and, in effecte, generally all lawes and commen justice, and the good and laudable ordennances and ceremonies necessarye and convenient to be used and contynued in this realme, which were ordayned for the encrease and edyfying of vertue and good christen lyving: some of theym also using the Scripture, permytted to them by the king's goodness in the Inglisshe tong, "muche contrary to hys hyghtnes expectation (for his majestes entente and hope was, that they, that wolde rede the scripture, wolde, with mekenes and wyll to accomplysse the effecte of it, rede it, and nott to mayntayne erronius oppinions and preche, nor for to use the redying or prechying off it in undue tymes and pleasys, and after"[1] suche facions and fetes, as it is not convenyent to be suffered); and thus eche of theym dispute so arrogantly agaynst the other of ther opynnions, as well in churches, ale-houses, tavernes, and other places and congregations, that there is begon and sprong

[1] [In the original, the words, here and elsewhere included between commas, are inserted as an interlineation, in the handwriting of Henry himself.—*T.*]

amonge themselves slaunder and rayllyng eche at other, as well by worde as wryting, oon parte of theym calling the other *papist*, the other parte calling the other *heretyk*, whereby is like to follow dissention and tumult, "not wonly to theyre aune confusions that teche and use the same, but also to the disturbance and likelywode to distruction of all the rest off the kyng's true and welbelovyed subjects," if his majestie, like a godly and catholyke prynce, of his excellent goodness, by his pryncely power and authorytie gyven hym by God, sholde not polytykely, in the begynnyng, provyd for the same: For remedye whereof, his most royall majestie, by his most excellent wysdom, knowing and considering his kyngely office and charge touching the premisses, and daylly paynfully studying and devysing with a most noble and earnest harte to reduce his people, comytted by God to his care, to unytie of opynion, and to encrease love and charytie amonge theym selfes, and constantly to confirm theym in the same, entendeth (God willing) by advyse of his prelates and clergye, and other of his counsaill, to procede to a full order and resolucion, to extincte all suche dyversyties of opynnions, by "good and just" lawes, to be made for the same by authoritie of his parliament. And yet nevertheless, nowe in the begynning of his parliament, of his most excellent and vertuous goodness, myndeth, by a proclamation set forthe by "hys hyghtness with" the advyce of his counsaill, "accordyng to authoryte of pallyament allredy to hys hightnes successours and counsell grantyd," to exturpe and take awey some occasions, "as hereafter foloyth," which have moved and bred divysion amonge sundry of his subjectes. And therefore, by authoryte of this his present parliament, straightly chargeth and comaundeth, that no person or persons shall, from hensforth, slaunderously and malyciously name or call eny other *papist* nor *herityk*, oonless the person or persons, so using theym selfes, can and doo lawfully and justly prove the same to be true, upon payne of [2]. And over this, his majestie straitly chargeth and comaundeth, that no person, excepte suche as be curates, or graduates in eny of the universities of Oxford or Cambridge, or such as be or shalbe admytted to preach by the kynges lycence, or by his vicegerent, or by eny bishop of the realm, shall teach or preach the bybill or new testament, nor expounde the misteries thereof, to eny other; nor that eny person or persons shall openly rede the bybill or new testament in the Inglisshe tonge, in eny churches, or chapelles, "or elsewher," with eny lowde or high voyses, "and specially" during the tyme of dyvyne servyce, or of celebrating and saying of masses; but vertuouslye and devoutlye to here their dyvyne servyce and masses, and use that tyme in reding or praying with

[1] This blank is in the original.

peace and scilens, as good christen men ought to doo, "for hys aune errudition," upon the lyk paynes as is afore rehersed. Notwithstanding, his highnes is pleased and contented, that such, as can "and will" rede in the Englisshe tonge, shall and may quietly and reverently rede the bibill and newe testament by theym selves "secretly," at all tymes and places convenient for their owne instruction and edifycation, to encreas therby godlynes and vertuous lyving; with this admonysment nevertheles, that, yf they happe to fynde eny dowte of eny texte or sentence in the reding therof, to be ware, and take hede of their owne presumpsious and arrogant exposicions of the letter, but to resort humbly to such as be lerned in holy scripture, for their instructions in that behalf.

Finally, his highnes signifieth to all and singular his loving and obedyent subjectes, that his majestie was, nor is, compelled, by Gode's worde, to set forth the scripture in Inglisshe to his laye subjectes; but, of his own liberalyte and goodness, was and is pleased that his sayed loving subjectes sholde have and rede the same, in convenient places and tymes, to the oonly intent to bring theym from their olde ignoraunce and blyndeness to vertuous lyving and godlynes, to Gods glory and honor, and not to make and take occasion of dissension or tumult, by reason of the same. Wherefore his majestie chargeth and commaundeth all his said subjectes to use the holy scripture in Englisshe, according to his godlye purpose, and gracious intent, as they wolde avoyde his most high displeasure and indignation, besyde the paynes above remembred.

No. XLIX.—(*Referred to at page* 320.)

King Henry VIII.'s Speech in Parliament, towards the latter end of his Reign.

[Hall, 864. Ed. 1809.]

Although my chancellor, for the time being, hath, before this time, used, very eloquently and substantially, to make answer to such orations as have been set forth in this high court of parliament; yet is he not so able to open and set forth my mind and meaning, and the secrets of my heart, in so plain and ample manner, as I myself am, and can do. Wherefore, I taking upon me to answer your eloquent oration, Master Speaker, say, that where you, in the name of our well beloved commons, have both praised and extolled me for the notable qualities that you have conceived to be in me, I most heartily thank you all, that you have put me in remembrance of my duty, which is, to endeavour myself to obtain, and get such excellent qualities, and necessary virtues, as a prince or governor should or ought to have; of which gifts I recognize myself both bare and barren. But for such small qualities as God hath endowed me withal, I render to his goodness my most humble thanks, intending,

with all my wit and diligence, to get and acquire to me such notable virtues, and princely qualities, as you have alleged to be incorporate in my person.

These thanks for your loving admonition, and good counsel, first remembered, I eftsoons thank you again, because that you, considering our great charges (not for our pleasure, but for your defence, not for our gain, but to our great cost), which we have lately sustained, as well in defence against our and your enemies, as for the conquest of that fortress, which was to this realm most displeasant and noisome, and shall be, by God's grace, hereafter to our nation most profitable and pleasant, have freely, of your own mind, granted to us a certain subsidy, here in an act specified, which verily we take in good part, regarding more your kindness than the profit thereof, as he that setteth more by your loving hearts, than by your substance. Besides this hearty kindness, I cannot a little rejoice, when I consider the perfect trust and sure confidence which you have put in me, as men having undoubted hope and unfeigned belief in my good doings, and just proceedings; for that you, without my desire, or request, have committed to mine order and disposition all chantries, colleges, hospitals, and other places specified in a certain act; firmly trusting, that I will order them to the glory of God, and the profit of our commonwealth. Surely, if I, contrary to your expectations, should suffer the ministers of the church to decay, or learning (which is so great a jewel) to be minished, or poor and miserable people to be unrelieved, you might say, that I, being put in so special a trust as I am in this case, were no trusty friend to you, nor charitable man to mine even christian, neither a lover of the public wealth, nor yet one that feared God, to whom account must be rendered of all our doings. Doubt not, I pray you, but your expectation shall be served, more godly and goodly than you will wish or desire, as hereafter you shall plainly perceive.

Now sithence I find such kindness on your part, towards me, I cannot choose but love and favour you, affirming, that no prince in the world more favoureth his subjects, than I do you; nor any subjects or commons more love and obey their sovereign lord, than I perceive you do me, for whose defence my treasure shall not be hidden, nor, if necessity require, shall my person be unadventured. Yet, although I with you, and you with me, be in this perfect love and concord, this friendly amity cannot continue, except you, my lords temporal, and you my lords spiritual, and you my loving subjects, study and take pains to amend one thing, which is surely amiss, and far out of order, to the which I most heartily require you; which is, that charity and concord is not among you, but discord and dissension beareth rule, in every place. St.

Paul saith to the *Corinthians*, in the thirteenth chapter, *charity is gentle, charity is not envious, charity is not proud*, and so forth, in the said chapter. Behold then what love and charity is amongst you, when the one calleth the other heretic and anabaptist, and he calleth him again, papist, hypocrite, and pharisee. Be these tokens of charity amongst you? Are these the signs of fraternal love between you? No, no. I assure you, that this lack of charity amongst yourselves will be the hindrance and assuaging of the fervent love between us, as I said before, except this wound be salved, and clearly made whole. I must needs judge the fault and occasion of this discord to be partly by the negligence of you, the fathers, and preachers of the spirituality. For, if I know a man which liveth in adultery, I must judge him a lecherous and carnal person; if I see a man boast, and brag himself, I cannot but deem him a proud man. I see and hear daily, that you of the clergy preach one against another, teach, one contrary to another, inveigh one against another, without charity or discretion. Some be too stiff in their old *mumpsimus*, other be too busy and curious in their new *sumpsimus*. Thus, all men almost be in variety and discord, and few or none do preach, truly and sincerely, the word of God, according as they ought to do. Shall I now judge you charitable persons doing this? No, no; I cannot so do. Alas! how can the poor souls live in concord, when you, preachers, sow amongst them, in your sermons, debate and discord? Of you they look for light, and you bring them to darkness. Amend these crimes, I exhort you, and set forth God's word, both by true preaching, and good example-giving, or else I, whom God hath appointed his vicar, and high minister here, will see these divisions extinct, and these enormities corrected, according to my very duty, or else I am an unprofitable servant, and an untrue officer.

Although (as I say) the spiritual men be in some fault that charity is not kept amongst you, yet you of the temporality be not clean and unspotted of malice and envy; for you rail on bishops, speak slanderously of priests, and rebuke and taunt preachers; both contrary to good order and christian fraternity. If you know surely that a bishop or preacher erreth, or teacheth perverse doctrine, come and declare it to some of our counsel, or to us, to whom is committed, by God, the authority to reform and order such causes and behaviours, and be not judges yourselves of your own fantastical opinions, and vain expositions; for in such high causes you may lightly err. And, although you be permitted to read holy scripture, and to have the word of God in your mother tongue, you must understand, that it is licensed you so to do, only to inform your own conscience, and to instruct your children and family, and not to dispute, and make scripture a railing and a taunting stock against priests

and preachers, as many light persons do. I am very sorry to know and hear how unreverently that most precious jewel, the word of God, is disputed, rhymed, sung, and jangled in every alehouse and tavern, contrary to the true meaning and doctrine of the same; and yet I am even as much sorry that the readers of the same follow it, in doing, so faintly and coldly. For of this I am sure, that charity was never so faint amongst you, and virtuous and godly living was never less used, nor was God himself, amongst christians, never less reverenced, honoured, or served. Therefore, as I said before, be in charity one with another, like brother and brother; love, dread, and serve God (to the which I, as your supreme head, and sovereign lord, exhort and require you); and then I doubt not, but that love and league, that I spoke of in the beginning, shall never be dissolved, nor broken between us. And, as touching the laws which be now made and concluded, I exhort you, the makers, to be as diligent in putting them into execution, as you were in making and furthering the same, or else your labour shall be in vain, and your commonwealth nothing relieved.

(No. L.—*Referred to at page* 320.)

Extract from the Will of Henry III.—Dec. 30th, 1546.

[Rymer, xv. 110.]

Henry R.—

In the name of God, and of the glorious and blessed virgin, our lady Sainct Mary, and of all the holy company of heaven. We, Henry, by the grace of God, king of England, Fraunce, and Irelande, Defendeur of the Faith, and in erth, ymediately under God, the supreme Hed of the church of England and Ireland, of that name theight, calling to our remembrance the great gifts and benefits of Almighty God, given to us in this transitory lief, give unto him our moost lowly and humble thanks, knowledging our self insufficient, in any part, to deserve or recompence the same, but fear that we have not worthely received the same:

And considering further also with our self, that we be, as all mankind is, mortal and borne in sinne, believing nevertheles, and hoping, that every christien creature, living here in this transitory and wretched woorld under God, dying in stedfast and perfaict faith, endevoring and exercising himself to execute, in his lief-time, if he have leasur, such good dedes and charitable workes as Scripture commandeth, and as may be to the honour and pleasure of God, is ordeined by Christes passion to be saved, and to attein eternell lief (of which nombre we verily trust, by his grace, to be oon), and that every creature, the more high that he is in estate, honour, and authoritie in this world, the more he is bound to

love serve and thank God, and the more diligently to endevour himself to do good and charitable workes, to the lawde, honour, and praise of Almighty God, and the profit of his sowle :

We also, calling to our remembraunce the dignite, estate, honour, rule, and gouvernaunce, that Almighty God hath called us unto in this world, and that neither we, nor any other creature mortal, knowith the time, place, whenne, ne where, it shall pleas Almighty God to call him out of this transitory world, willing therefor and minding, with Godes grace, before our passage out of the same, to dispose and ordre our latter mind, will, and testament, in that sort as we trust it shall be acceptable to Almighty God, our only Saviour, Jesus Christ, and all the hole company of heaven, and the due satisfaction of all godly brethren in erth, have therefore, now being of hole and perfaict mind, adhering holy to the right faith of Christ and his doctrine, repenting also our old and detestable lief, and being in perfaict will and mind, by his grace, never to return to the same, nor such like, and minding, by Goddes grace, never to very therefro, as long as any remembrance, breth, or inward knowledge doth or may remain within this mortal body, most humbly and hartly do commend and bequeyth our soul to Almighty God, who, in personne of the Sonne, redeamed the same with his moost precious body and blood, in time of his passion, and, for our better remembrance thereof, hath left here with us, in his church militant, the consecration and administration of his precious body and blood, to our no little consolation and comfort, if we as thankfully accept the same, as he lovingly, and undeserved on man's behalf, hath ordeyned it for our only benefite, and not his.

Also we do instantly require and desire the blessed Virgin Mary, his mother, with all the holy company of heaven, continually to pray for us and with us, whiles we lyve in this world, and in the time of passing out of the same, that we may the sooner atteyn everlasting lief after ou departure out of this transitory lief, which we do both hope and clayme by Christes passion and woord :

And, as for my body, which, whenn the soul is departed, shall thenn remayn but as a cadaver, and so return to the vile matter it was made of, wer it not for the rowme and dignitiye which God hath called us unto, and that we woold not be noted an infringer of honest worldly policies and custumes, whenne they be not contrary to God's laws, we woold be content to have it buryed in any place accustumed for christian folks, were it never so vile ; for it is but ashes, and to ashes it shall again : Nevertheles, bicause we woold be lothe, in the reputation of the people, to do injury to the dignite which we unworthely are callid unto, we are content, and also, by these presentes, our last will and testament, do will

and ordeyn, that our body be buried and enterred in the quere of our college of Windesour, midway betwen the stattes and the high aultar; and there to be made and set, assone as conveniently may be doon after our deceasse, by our executors, at our costs and charges, if it be not done by us in our lief-time, an honorable tombe for our bones to rest in, which is well onward, and almost made therfor alredy, with a fayre grate about it; in which we will also that the bones and body of our true and loving wief, quene Jane, be put also, and that there be provided, ordeyned, made, and set, at the costes and charges of us, or of our executours if it be not done in our lyf, a convenient aulter, honourably prepared and apparailled with all maner of thinges requisite and necessary for dayly masses, there to be sayd perpetuelly while the woorld shall endure ..... And also we will and specially desyre and requyre, that where and when soever it shall pleas God to call us out of this woorld transitory to his infinite mercy and grace, be it beyonde the see, or in any other place, without our realme of England, or within the same, that our executors, assone as conveniently they may, shall cause all divine service, accustumed for dead folk, to be celebrate for us, in the nixt and moost propire place where it shall fortune us to depart out of this transitory lief: And over that, we will, that, whensoever or wheresoever it shall pleas God to call us out of this transitory lief, &c., that our executors, in as goodly, brief, and convenient hast as they reasonably canne or may, ordeyn, prepare, and cause our body to be removed, conveyed, and brought into the said college of Windesour (and the service of *Placebo* and *Dirige*, with a sermon and masse on the morrowe, at our costes and charges, devoutly to be don, observed, and solemnly kept), there to be buryed and enterred in the place appointed for our said tombe to be made for the same entent; and all this to be doon in as devout wise, as cann or may be doon: And we will and charge our executors, that they dispose and gyve in almes to the moost poore and nedy people that may be found (commyn beggars as moch as may be avoyded), in as short space as possibly they may after our departure out of this transitory lief, one thousand markes of laufull money of England, part in the same place and thereaboutes, where it shall pleas Almighty God to call us to his mercy, part by the way, and part in the same place of our buriall, after their discretions, and to move the poor people, that shall have our almez, to pray hartly unto God for remission of our offenses, and the wealth of our soull.

Also we wool, that, with as convenient spede as may be doon after our departure out of this world, if it be not doon in our liefe, that the deane and channons of our free chaple of Sainct George, within our castle of Windesor, shall have manoures, landes, tenementes, and spiritual pro-

motions, to the yerely value of six hundred poundes over all charges, made sure to them, to them and their successours for ever, upon these conditions hereafter ensuing:

And for the due and full accomplishment and performaunce of all other things conteined with the same, in the forme of an indenture signed with our own hand, which shall be passed by way of covenaunt for that purpose, betwen the said deane and cannons and our executours, if it pass not between us and the said dean and cannons in our lief, that is to say, the said dean and cannons, and their successours for ever, shall finde two prestes, to say masses at the said aulter, to be made where we have before appointed our tomb to be made and stand, and also, after our decease, kepe yerely four solempne obites for us within the said college of Windesour, and, at every of the same obite, to cause a solempne sermon to be made; and also, at several of the said obites, to give to poore people, in almez, tenne poundes: And also to give for ever yerly to thirtene poor men, which shall be called *Poore Knightes*, to every of them twelf pens every daye, and ones in the yere yerely, for ever, a long goune of white cloth, with the Garter upon the brest, embrodered with a sheld and cross of Sainte George within the Garter, and a mantel of red cloth; and to such one of the said thirtene poor knightes, as shall be appointed to be Hed and Gouvernour of them, iii*l.* vi*s.* viii*d.* yerely for ever, over and besides the sayd twelf pennes by the daye: And also to cause, every Sonday in the yere for ever, a sermon to be made for ever, at Windesour aforsaid, as in the said indenture and covenaunt shal be more fully and particulerly expressed; willing, charging, and requiring our son, Prince Edwarde, all our executours and counsaillors which shal be named hereafter, and all other our heirs and successours which shall be kinges of this realme, as they will aunswer before Almighty God at the dredfull day of judgment, that they and every of them do see that the said indenture and assurance, to be made betwene us and the said dean and cannons, or betwen them and our executours, and all thinges therin conteined, may be duly put in execution, and observed and kept for ever perpetuelly, according to this our last will and testament.

* * * * *

Henry R.

[*The remainder of the will relates only to the entail of the crown, the appointment of executors and guardians to his son, and the distribution of various legacies to his daughters, his widow, and his servants.—T.*]

SUPPLEMENTARY PAPERS.

No. I.

A List of the Abbots, Priors, and other Superiors of the Principal Religious Houses in England, from the foundation to their suppression.[1]

Abbots of St. Albans.
700.
Willegod
Eadric
Ulsig
Ulnoth
Eadfrith
Ulsin
Alfric
Ealred
Eadmar
Leofric
Alfric II.
Leofstan
Fretheric
Paul
Richard
Geoffrey
Ralph Gubion
Robert
Simon
Garin
John
William Trumpington
John II.
Roger
John of Berkamsted
John Marines
Hugh Everisden
Richard Wallingford
Michael Mentemore
Thomas de la More
John Moot
William Heyworth
John of Whethamsted
John Stoke
John of Whethamsted II.
William Alban
William Wallingford
Thomas Ramridge
Thomas Wolsey
Robert Cotton
Richard Stevenache.

Abbots of Westminster before it was refounded by King Edward the Confessor. 700.
Siluard
Ordbrutius
Alfwin
Alfgar
Aldymer
Alfnod
Alfric
Wulsin
Alfwin
Wolnoth.

Abbots of Westminster, since Edward the Confessor.
1000.
Edwin
Geoffry
Vitalis
Gislebert
Herbert
Gervase of Blois
Laurence
Walter
William Poffard
Ralph Papillon
William Humes
Richard Barking
Richard Crokesley
Philip Levesham
Richard Ware
Walter Wenlock
Richard Kidington
William Curlington
Thomas Henley
Simon Burcheston
Simon Langham
Nicholas Litlington
William Colchester
Richard Harounden
George Flaccet
Richard Sudbury
Edmund Kirton
Thomas Milling
John Estney
John Islip
William Benson
John Feckenham.

Abbots of Bardney.
700.
St. Ethelred
Deda
Alduinus
Kinewinus
Ralph
Ivo
John de Gant
Walter
John
Ralph de Staynfeld
Robert
Ralph de Rand
Peter
Matthew
Adam de Asewardby
William de Ripton
Walter be Beningworth
William de Hatton
William de Torkesey
Peter de Barton
Robert de Waynflet
Richard de Gainsburgh
Robert de Barow
Thomas de Stapulton
Hugh de Braunston
John de Haynton
John Woxbrigg
Jeffry Hemmingsby
John Waynflete
Gilbert Morton
Richard Horncastle
William Marton.

[1] [I have omitted Dodd's catalogue of the bishops; a fuller and more correct list may be seen at the end of Richardson's Godwin.—*T.*]

Abbesses of Shaftsbury.
900.
Herleva
Cecilia
Emma
Laurentia
Margeria Auchier
Alice Gibbs
Margeria Twyneham
Elizabeth Thelford
Elizabeth Zouche.

Abbots of Croyland.
700.
Kenulph
Patrick
Siward
Theodore
Godric
Tukketul
Egelric
Egelric II.
Osketul
Godric II.
Brithmer
Wulgate
Wulketul
Ingulphus
Joffred
Walden
Godfrey
Edward
Robert
Henry
Richard
Thomas Welle
Ralph Merch
Richard
Simon
Henry
Thomas
John
Thomas
Richard
John Litlington
John Wysbich
Richard Croyland
Lambert Fossdyk
Edmund Thorp
Philip Evererde
William Gedyng
Richard Berkney
John Welles.

Abbots of Abingdon.
600.
Heanus
Conanus
Rethunus
Cinathus
Godeasculus
Ethelwold
Osgarus
Edwin
Wulgar
Adelwin
Siward
Ethelstan
Sperafoc
Rodolphus
Ordricus
Ealdred
Athelm
Rainald
Faricius
Vincent
Ingulf
Walkelin
Godfrey
Roger
Alfred
Hugh
Robert de Henreth
Luke
John de Blosmevil
William de Newbery
Henry de Fryeleford
Richard de Henred
Nicholas de Coleham
Richard de Clyne
John de Sutton
John de Canninges
Robert de Garfor
William de Comenore
Roger de Thame
Peter de Hanney
Vincent II.
Richard de Salford
John Dorset
Richard Boxore
Thomas Salford
Ralph Hamme
William Ashenden
John Sante
Thomas Rowland
Alexander Shotisbrook
Thomas Rowland II. *alias* Pentecoste.

Abbots of Evesham.
700.
St. Egwin
Athelwold
Aldbath
Tyldbrith
Almund
Credanus
Tinthferith
Etbrith
Wlfard
Kynach
Kynath
Aldbore
Aldfert
Cutulf
Aldbald
Elferd
Kynelm
Ebba
Edwin
Osward
Freodegar
Alfric
Alfgar
Brithmar
Agelwin
Alfware
Mannius
Egelwin
Walter
Robert
Maurice
Reginald
William de Andeville
Roger
Adam
Roger Norreys
Randolf
Thomas de Malabergh
Richard le Grass
Thomas
Henry
William de Wytechurch
John de Brokenhampton
William de Chyryton
William de Bois
John de Onbresleye
Roger Zatton
Richard de Bromsgrove
John Wickewane
Richard Pembroke
Richard Hawksbury
William Upton
John Norton
Thomas Newbold
Clement Litchfield
Philip Hawford.

Abbesses of Glocester.
600.
Kyneburg

Eadburg
Evah

Afterwards the secular clergy possessed it 200 years.

Abbots of Glocester.
1000.

Edric
Wolstan
Serlo
Peter
William Goadman
Walter
Lacy
Gilbert Foliot
Hamelin
Thomas Carbonel
Henry Blond
Thomas Bredon
Henry Foliot
Walter St. John
John de Felda
Reginald de Hamme
John Gag
John Thokey
John Wigmore
Adam de Staunton
Thomas Horton
John Boyfield
Walter Throwcestre
Hugh de Morton
John Morwent
Reginald Boulars
Thomas Seabroke
Richard Hanley
William Farley
John Malvern
Thomas Branch
John Newton
William Malvern
William Parker.

Abbots of Ramsey.
900.

Aednoth
Wulfius
Withman
Ethelstan
Alfwin
Ailsius
Herbert
Aldwin
Bernard
Reginald
Walter
William
Robert Trionel
Eudo
Robert de Redinges
Richard
Hugh Foliot
Ranulfus
William Acolt
Hugh Sulgrave
William
John
Simon
Robert
Richard
Edmund
Thomas Botterinck
John Tychemarsh
John Crowland
John Stow
William Wyttlesey
John Wardboys
John Huingdon
Henry Stewkley
John de Wardeboys *alias* Laurence.

Abbots of St. Mary's near York.
1000.

Stephen Whitby
Richard
Godfrey
Savaric
Clement
Robert Harpham
Robert Longchamp
William Bondele
Thomas Waterhill
Simon Warwick
Benedict Melton
John Gillings
Ailan Nesse
Thomas de Multon
William de Marcys
William de Bridford
Thomas Staynegrave
Thomas Pigot
Thomas Stoppford
William Dalton
William Wells
Robert Kirby
John Cottingham
John Rothe
William Siveyer
Robert Wanhop
Edmund Thornton
Edmund Whalley
Wm. Dent *alias* Thornton.

Abbots of Tewksbury, since it was refounded.
1100.

Giraldus
Robert
Benedict
Roger
Fromond
Robert
Alan
Walter
Hugh
Bernard
Peter
Robert
Thomas de Stokes
Richard de Norton
Thomas Kemsey
John Cotes
Thomas de Legh
Thomas Chesterton
Thomas Parker
William Bristow
John Abington
John de Salis
John Strensham
Richard Cheltenham
Henry Beoly
John Walker
Robert Wakeman.

Abbots of Battel.
1000.

Guasbertus
Ralph
Henry
Gaufridus
Ralph
Warner
Walter de Lucy
Odo
John de Duvra
Hugh
Richard
Ralph of Coventry
Reginald
Henry of Alesford
John de Tameto
John of Watlington
John of Northburn
John of Penvense
John of Retling
Richard de Bello
Hamo of Offington
John Lydbury
William Mersh
Thomas Ludlow

William Waller
Richard Dertmouth
John Newton
Richard Tovy
William Westfield
Laurence Campion
John Hammond.

Abbots of Winchcomb.
900.
Germanus
Godwin
Godric
Galandus
Ralph
Girmund
Godfrey
Robert
Gervase
Henry
Crispin
Ralph
Robert
Thomas
Henry de Tudington
John Yanworth
Walter Wicwane
Thomas Schirburn
Richard Ydebury
William Shirburn
Robert Ippewell
Walter Winfortune
William Bradley
John Cheltenham
William Winchcombe
John Twyning
Richard Kederminster
Richard Monslow.

Abbots of Newminster, afterwards removed to Hyde.

Abbots of Newminster.
900.
Athelgerus
Alsius
Brithwoldus
Brithmerus
Alnothus
Alwinus
Alfnotus
Alwinus II.
Wulfric
Rualdus
Radulfus
Robert de Losinga
Hugh
Galfridus.

Abbots of Hyde.
1100.
Osbertus
Hugh de Lens
Salidus
Thomas
John Suthill
Walter de Aston
Roger de St. Waleric
William de Wigornia
Robert de Popham
Simon de Canninges
Jeffrey de Feringes
William de Odiham
Walter de Fifhide
Thomas Peithy
John Eynesham
John Lattecombe
John London
Nicholas Strode
Thomas Bromele
Henry Bonville
Thomas Worcester
John Colybone
Thomas Forte
Richard Hall
John Salcot.

Abbots of Cirencester.
1100.
Serlo
Andrew
Adam
Robert
Robert II.
Richard
Alexander Neckham
Walter
Hugh de Bampton
Roger de Rodmerton
Henry de Munden
Henry de Hamptonel
Adam Brokenburgy
Richard de Charleton
William Hareward
Ralph de Estcote
William de Marteley
William de Dinton
Nicholas de Amaney
John Lekhampton
William Best
William Wotton
John Taunton
William George
John Salbury
Thomas Compton
Richard Clyve
Thomas Aston
John Haleborn
John Blake.

Abbots of Waltham, since the second Foundation.
1100.
Walter de Gaunt
Nicholas
Richard
Henry
Walter
Richard
Simon de Seham
Adam de Witz
Richard de Hergas
Reginald de Maidenheth
Hugh
Robert de Elinton
John de Badburgham
Richard de Hertford
John
Richard
Thomas de Wolmestry
Nicholas Morris
William Neel
Michael
William Harleston
Walter
William Hertford
William
John Lucas
Thomas Edwards
Gervase Rose
Alan Reed
John Sharnebroke
John Malyn
Robert Fuller.

Abbots of Malmsbury.
600.
Maidulph
Aldelm
Daniel
Aldelm II.
Ethelard
Cuthbert
Elfric
Athelwerd
Kineward
Brichtelm
Britchwold
Edric
Wulsin

Britchwold II.
Egelward
Edwin
Britchwold III.
Brithric
Turald
Warren de Lyra
Godfrey Gemeticensis
Edulf
John
Peter
Gregory
Robert
Osbert Foliot
Nicholas
Robert de Melun
Walter Loring
John Wallensis
Jeffrey
William de Colern
William de Badminton
Adam Attehok
John de Tintern
Simon de Aumeney
Walter Camme
Thomas de Chelesworth
William
Robert Persore
Thomas Bristow
John Andover
John Aylee
Thomas Olveston
Robert Frampton.

Abbots of Thorney.
900.

Godemannus
Leoffius
Oswy
Ethelstan
Lefwin
Siward
Fulcard
Gunter
Robert
Gilbert
Walter
Herbert
Walter II.
Salomon
Robert II.
Ralph
Robert III.
Richard de Stanford
David
Thomas de Castre
William Yakesley
Odo de Witlesey
William Clapton
Reginald de Waternewton
William Haddon
John de Deping
Nicholas Islip
Thomas Charwalton
Alan Kirketon
John Kirketon
John Ramsey
William Ryal
Thomas Wysbech
William Murcot
Richard Holbech
Robert Moulton
John
Robert Blyth.

Abbots of St. Augustin's near Canterbury.
600.

Peter
John
Ruffianus
Graciosus
Petronius
Nathaniel
Adrian
Albinus
Nothbald
Aldhun
Jambert
Ethelnoth
Gutard
Cunred
Wernod
Diernod
Wynher
Beamund
Kynebert
Etans
Degmund
Alfrid
Ceolbert
Beitan
Athelwold
Tilbert
Eadred
Alchmund
Guttulfe
Eadred II.
Luling
Beornelm
Alfric
Elfnoth
Siric
Wulfric
Elmer
Elstan
Wulfric II.
Egelsin
Scotland
Wydo
Hugh
Hugh de Trotsclive
Sylvester
Clarembald
Roger
Alexander
Hugh II.
Robert de Bello
Roger of Chichester
Nicholas Thorn
Thomas Fyndone
Ralph Borne
Thomas Poncy
William Drulegge
John Devepisse
Thomas Colwell
Michael Peckham
William Welde
Thomas Hunden
Marcellus Dandylyon
John Hawkherst
George Penseherst
James Sevenoke
William Selling
John Dunster
John Dygon
Thomas Hampton
John Essex

Abbots of Peterborough.
600.

Saxulfus
Cuthbald
Egbald
Pusa
Benna
Celred
Hedda
Adulphus
Kenulphus
Elsinus
Arwin
Leofricus
Brando
Turold
Godrick
Matthias
Ernulphus
John of Salisbury
Henry of Anjou
Martin de Vecti

William de Waterville
Benedict
Andrew
Acharius
Robert de Lindsey
Alexander de Holdeugs
Martin de Ramsey
Walter of St. Edmund's
John de Caleto
William Hotot
Robert de Sutton
Richard of London
William of Woodford
Godfrey of Croyland
Adam de Boothby
Henry de Morcot
Robert Ramsey
Henry de Overton
Nicholas
William Genge
John Deeping
Richard Ashton
William Ramsey
Robert Kirton
John Chambers.

Abbots of Colchester.
1100.

Hugh
Gilbert de Lungill
William de Scurri
Hugo de Haya
Gilbert de Wicham
Walter Wallensis
Osbert
Adam de Campes
William de Wanda
William de Spaldwick
Robert de Grimsted
John de Bruges
Walter de Huntingfield
William de Glemham
John de Wymondham
Simon de Blyton
Thomas Moneron
Thomas Stucklee
Richard de Colne
John de Dedham
William de Gyrton
Jeffrey Story
John Neylond
John de Okeham
William Westborn
Robert
Roger Best
Robert Gryton
William de Ardelle
John de Canoune
William
Walter Standsted
William Sprowton
John Stoke
Thomas Barton
Thomas Marshal
John Beche.

Priors of Coventry.
1000.

Leofwine
Burwine
Hervey
Leofstan
Owyne
Strenulph
Richard
Laurence
Moyses
Josbert
Jeffrey
Roger Wooton
William Brithwelton
Thomas Pavy
Henry Leicester
Henry Jerreys
William Jerreys
William Dunstable
William Greensburgh
James Horton
Roger Cotton
Richard Crosby
Richard Nottingham
John Sholteswell
Thomas Derham
Richard Shaw
William Polesworth
John Webb
Thomas Weford
Thomas Camselle.

Abbots of Glastonbury.
700.

Berwald
Albert
Ecfrid
Cengille
Cumbert
Tican
Guban
Waldun
Beadulf
Cuman
Mucan
Guthlac
Elmund
Hereferth
Elfric
Styward
Aldhun
St. Dunstan
Elsius
Egelward
Sigebar
Berred
Brithwy
Egelward II.
Egelnoth
Turstin
Herlewin
Sigfrid
Henry of Blois
Robert
Henry de Soliaco
Savaric
William Pike
William
Robert II.
Michael of Ambresbury
Roger Forde
Robert Pederton
John Tanton
John Kent
Godfrey Fromond
Walter Tanton
Adam Sudbury
John Brainton
Walter Monington
John Chinnock
Nicholas Frome
Walter More
John Sellwoode
Richard Beere
Richard Whiting.

Priors of Christ-Church in Canterbury.
1000.

Egelnoth
Egelric
Godric
Henry
Ernulph
Conrad
Geoffrid
Elmer
Jeremy
Walter Durdens
Walter Parvus
Wibert
Odo
Benedict
Herlewin

Alan
Honorius
Roger Norris
Osbert
Jeffrey
John Sittingbourn
Roger de la Lee
Nicholas Sandwich
Roger of St. Elphege
Adam Chillenden
Thomas Ringemer
Henry Eastry
Richard Oxinden
Robert Hothbrand
Robert Gillingham
Stephen Mongeham
John Finch
Thomas Chillenden
John Woodnesberg
William Molash
John Salisbury
John Elham
Thomas Goldston
John Oxne
William Petham
William Sellyng
Thomas Godwell.

Priors of Winchester.
900.

Brithnoth
Brithwold
Elfric
Wulfsig
Simon
Godfrey
Geoffrey
Geoffrey II.
Eustace
Hugh
Geoffrey III.
Ingulphus
Robert
Robert II.
Walter
John
Robert III.
Roger
Walter II.
Andrew
Walter III.
John de Chauce
William Tanton
Andrew of London
Ralph Russel
Valentine
John de Dureville

Adam de Franham
William de Basinge
William de Basinge II.
Henry Wodelock
Nicholas de Tarente
Richard de Enford
Alexander Heriard
John Merlow
William Thudden
Hugh Basing
Robert Rudborn
Thomas Nevil
Thomas Sherbourn
William Aulton
Richard Marlburgh
Robert Westgate
Thomas Hunton
Thomas Silksted
Henry Brook
William Basing.

Priors of Hertford.
1100.

John
Nigellus
Thomas Martel
William Hertford
William Giles
John Bensted
William Dixwell
John Collingworth
Thomas Hampton.

Abbots of Walden.
1100.

William
Reginald
Robert
Roger
Robert II.
Richard
Roger II.
Absolom
Thomas
John Fening
William Polley
Simon de Hatfield
John de Fyningham
Peter de Hatfield
John Penselow
William de Ely
Thomas Bennington
John de Horkesley
John Sabysforth
John de Thaxted
Robert Barrington
William More.

Abbots of St. Werberg's in Chester.
1000.

Richard
Hugh
William
Ralph
Robert
Robert II.
Robert de Hastings
G———
Hugh II.
William Marmion
Walter de Pinchbec
Roger Frend
Thomas de Capenhurst
Simon Whitchurch
Thomas de Lythelas
Thomas
Thomas Erdeley
John Salyhal
Simon de Ripley
N. Burchenshaw
Thomas Marshal
Thomas Clerk

Abbots of Lindisfarn.
600.

Aidanus
Finanus
Colman
Tuda
Eata
St. Cuthbert
Erefrid.

Priors of Durham.
1000.

Aldwin
Turgot
Algar
Roger
Laurence
Absalom
Thomas
German
Bertram
William
Ralph Kerneck
Thomas de Malsamby
Bertram de Middleton
Hugh de Derlington
Richard de Claxton
Richard de Hotoun
H. de Luceby
William de Tanfield
Geoffrey de Burdon

William de Contoun
John Fossor
Robert Benington
John de Hemingburgh
John Wessington
William Ebchester
John Burnby
Richard Bell
Robert Ebchester
John Aukland
Thomas Castell
Hugh Whitehead.

Abbesses of Ely.
600.

Etheldreda
Sexburga
Ermenilda
Werburga.

Abbots of Ely.
900.

Brithnoth
Elsin
Leofwyn
Leofric
Leoffin
Wilfric
Turstan
Theodewin
Simeon
Richard

Priors of Ely.
1100.

Vincent
Henry
William
Tombert
Alexander
Solomon
Richard
Robert Longfield
John Stratfeld
Hugh
Roger
Geoffrey Brigham
Walter
Robert Leverington
Henry Bans
John Hemingston
John Shepred
John Saleman
Robert Orford
William Clare
John Fresingfield
John Crandene

Alan Walsingham
John Bucton
William Walpole
William Powcher
Edmund Walsingham
Peter of Ely
William Wells
Henry Peterborough
Roger Westminster
Robert Colevile
William Witlesey
John Cottingham
Robert Wellys.

Abbots of Eynsham.
900.

Adam
Nicholas
William
Richard
Godfrey
Robert
Eustachius
Robert II.
Adam
Nicholas
John de Dover
Gilbert
Alexander de Brakeley
John de Oxford
Thomas
Adam II.
Thomas de Cheltenham
John de Broughton
Nicholas de Upton
William de Sandford
Jeffrey de Lamborn
Thomas de Bradingstock
Thomas Oxinford
John Everington
William Walwin
Miles Salley
Thomas Chaundler
Anthony Kitchin.

Abbots of Athelney.
800.

John
Richard de Derham
Andrew de Sacrofonte
Osmond de Sowey
Robert
John Pederton
Robert Hill
John George
John Willington
Richard de Wroxhall

John Herte
Robert Hamlyn.

Abbots of Bath.
900.

Elphege
Stigand
Alfsius.

Priors of Bath.
1100.

Peter
Walter
Robert
Thomas
Walter II.
Thomas II.
Robert de Cloppcote
Robert de Sutton
Thomas Christy
Robert II.
John de Irford
John
John Dunster
John Tellesford
William Southbroke
Thomas Lacock
Richard
John Cantlowe
William Bird
William Halloway.

Priors of Rochester.
1000.

Ordouvinus
Arnulph
Ralph
Letard
Brian
Reginald
Ernulfus
William Borstalle
Sylvester
Richard
Alfred
Osborn of Shippey
Ralph de Ross
Elias
William
Richard de Derente
William de Hoo
Alexander de Glanville
Simon Clyve
John Renham
Thomas Woldeham
Thomas Schulford
John Greenstreet

Hamo de Hethe
John Westerham
John Speldherst
John Sheppey
Robert de Suthflete
John Hertleye
John of Shepey
William Tunbrigg
John
William of Wold
William Bishop
William Frysell
Walter Philips.

Priors of Worcester.
900.

Wynsin
Æthelstan
Æthelsin
Æthelsin II.
Godwin
Æthelwin
St. Wulstan
Ælfstan
Ægelred
Thomas
Nicholas
Guarin
Ralph
David
Osbert
Ralph de Bedford
Senatus
Peter
Randulph of Evesham
Sylvester de Evesham
Simon
William Norman
William of Bedford
Richard Gundicote
Thomas
Richard Dumbleton
William Cirencester
Richard Feckenham
Philip Aubin
Simon Wire
John de la Wyke
Wolstan Bransford
Simon le Botiler
Simon Crompe
John de Evesham
Walter Legh
John Green
John of Malvern
John Fordham
Thomas Ledbury
John Hertlebury
Thomas Musard
Robert Multon
William Wenloke
Thomas Mildenham
John Weddsbury
William Moor
Henry Holbech.

Abbots of Sherborn.
1100.

Thurstan
Clement
William de Sloke
Robert
John de Sownde
Hugh de Staplebridge
John
Edward Goude
Robert Brunning
John Fryth
John Sander
Bradford
Peter Rumesunne
John Myer
John Barnstaple.

Abbots of Pershore.
900.

Foldbrith
Britheage
Alfric
Roger
Edmund
Thurstan
Guido
Reginald
Roger II.
Simon
Anselm
Simon II.
Gervase
Elfric
Henry de Caldewell
William de Leye
William de Hervington
Peter
William de Newton
John Stonewell.

Priors of Snelshall.
1200.

Hugh
Nicholas
John
Hugh de Dunstable
Wina
Nicholas de Hanslap
Richard de Eya
John de Covesgrave
Roger
Simon de London
William Waddon
William Fuller
John Medborn
Hugh Brekenock
William Maltby.

Priors of Luffield.
1100.

Malgerus
William
Ralph
John
William II.
Roger
William de Brahels
Ralph de Selveston
William de Esteneston
Adam de Herred
John de Houton
Peter de Shaldeston
William de Brackley
John de Westbury
William de Skelton
William de Holwoode
John Pyry
John Horwode
John Halls
John Pinchbeck
William Rogers
Thomas Rowland.

Priors of Wallingford.
1100.

John
Simon
Ralph Warrington
Jeffrey
Thomas
Gregory
Germanus
Stephen de Wittenham
William de Huntington
William de Heron
William de Stenington
William de Bingham
John Stoke
Henry Halstead
John Wells
William Hardwick
William Rysborrow
Anthony Zouche
John Thornton
John Clare

Priors of Wederdal.
1100.
Henry de Tutbury
Ralph
Thomas de Wymundham
W——-
William de Tanfeld
Thomas Bothe
Ralph Hartley.

Prioresses of Pinley.
1100.
Lucia de Sapy
Helewisia de Langlegh
Elizabeth de Lotrington
Matilda le Bret
Amicia de Hinton
Alicia Myntins
Margaret Wigston

Abbesses of Burnham.
1200.
Margery de Eston
Maud de Dorcester
Margery de Louth
Joan Turner
Margaret Gibson
Alice Baldwin.

Prioresses of Little Marlow.
1200.
Matildis de Anvers
Cecilia
Christiana de Witteners
Felicia de Kenebel
Gunnora
Agnes de London
Agnes de Civeden
Juliana de Hampton
Roesia de Weston
Joan
Elenor Kirby
Elenor Bernard
Margaret Vernon.

Prioresses of Clerkenwell, near London.
1100.
Christina
Ermegard
Hawisia
Eleonor
Alesia
Cecily
Margery Whatvile
Isabel
Alice Okeney
Amice Marcey
Dyonisia Bray
Margery Bray
Joan Lewkenor
Joan Fullam
Katharine Braybroke
Lucy Atwood
Joan Viene
Margaret Blackwell
Isabel Wentworth
Margaret Bull
Agnes Clifford
Katharine Green
Isabel Hussey
Isabel Sackvile.

Prioresses of Ivingo, or Meresley.
1200.
Matilda de Hocclive
Isolda de Beauchamp
Sibilla de Hampsted
Elenor Crosse
Elenor Symms
Margaret Hardwick.

Prioresses of Henwood.
1200.
Katharine Boydin
Margaret le Corzon
Milisanda de Fokerham
Johanna de Pickford
Alienora de Stoke
Joesia Middlemore
Jocosa Middlemore
Alice Waringe
Elizabeth Pultney
Alice Hugford
Johanna Hugford

Abbesses of Barking.
600.
St. Ethelburg
Hildeld
Mary
Adelicia
Christiana de Valloniis
Mabilia de Boseham
Matilda
Matilda de Leveland
Isabella de Morton
Isabella de Basyng
Matildis de Grey
Anne de Vere
Alienora de Weston
Isabella de Weston
Matildis de Monteacuto
Katharine de Sutton
Sibilla de Felton
Margaret Swinford
Katharine de la Pole
Elizabeth Shouldham
Elizabeth Lexam
Dorothy Burleigh.

Abbesses of Pollesworth.
1100.
Osanna
Muriel
Margery de Apleby
Sarah de Mancestre
Albreda de Camvilla
Katharine de Apleby
Erneburga de Hardreshull
Matilda de Pipe
Lettice de Hexstall
Agnes de Somervile
Matilda Boltourt
Katharine de Wyrlegh
Benedicta Prede
Margaret Ruskin
Elizabeth Bradfield
Anne Fitzherbert
Alice Fitzherbert.

Prioresses of St. Radegundis.
1100.
Dera
Amicia Chamberlain
Helena
Mabilla Martyn
Alicia
Eva Westeneys
Margaret Claril
Alicia Pilet
Isabella Sudbury
Margery Harling
Agnes Sayntlow
Joan Lancaster
Joan Cambridge
Joan de Fulbourn

Abbesses of Godstow.
1100.
Editha
Juliana
Felicia de Bede
Flandrina
Emma Bluet
Isolda de Derham
Roysia Oxney
Mabilla Wafre

Alice de Gorges
Matilda de Upton
Margaret Dine
Matilda Beauchamp
Agnes Streitelegh
Margaret Moutney
Elizabeth
Agnes de Witham
Alice de Huntley
Katharine Feld
Isabel Brainters
Margaret Tewksbury
Katharine Buckley

Priors of Wenlock.
1000.

Peter de Leia
Josbertus
Aymo
John Tubbe
Henry Bonville
William Brugge
Peter Barry
John Stratton
John Shrewsbury
John Wenlock
Richard Singar
Rowland Gracewell
John Cressage.

Priors of Prittlewell.
1100.

William
Simon de Waltham
William II.
Nicholas de Cokefield
Peter de Montellier
Henry de Fautrariis
Giles de Seduno
Thomas de Shelmestrode
William de Anmumaco
James de Cusancica
Guichard de Chentriaco
Francis de Bangiaco
John Eston.

Priors of Bermondsey.
1000.

Peter
Herebran
Peter II.
Walter
Clarembald
Henry
Richard
Josbert
Hugh
Imbert
Henry II.
Peter III.
Henry Bonville
William de Charitate
Peter IV.
Richard de Denton
Altelburgus
Thomas Thetford
Robert
Robert Wharton.

Abbots of Waverley.
1100.

John
Gilbert
Henry
Henry de Cicestria
Christopher
John II.
John III.
Adam
Adam II.
Walter Giffard
Ralph
William de London
William de Hungerford
Hugh de Reubenorum
Philip de Bedwinde
Robert
John IV.

Abbots of Kirkstall.
1100.

Alexander
Ralph Hageth
Lambert
Turgsius
Helias
Ralph of Newcastle
Walter
Maurice
Adam
Hugh Mikeley
Simon
William Leeds
Gilbert de Coteless
Henry Karr
Hugh Grimston
Joseph Bridesal
Roger de Leeds
William Grayson
Thomas Wymbersley
Robert Kelynbeck
William Stockdall
William Marshal
John Ripley

Abbots of Rewley.
1200.

Robert
Peter de Divione
Richard
Thomas de Kirkly
Simon
Thomas
Henry Rytoner
Nicholas Austin

Abbots of Rieval.
1100.

William
Maurice
Sylvanus
Roger
Bernard
William II.
Warin
Elias
Henry
William III.
Roger II.
Adam
Thomas
William Spencer
Richard Blyton

Priors of the Holy Trinity near Aldgate, London.
1100.

Norman
Ralph
Stephen
Peter of Cornwall
Richard
John de Totynge
Gilbert
Eustace
William Aiguel
Stephen of Walton
Ralph of Canterbury
Richard Wymbich
Roger Poly
Thomas Heryon
Richard de Algate
William Rising
Robert Exeter
William Haradon
Thomas Pomray
Thomas Percy
Richard Charnock
Thomas Newton
John Bradwell

Nicholas Hancock

Abbots of Dorchester.
1100.
Alured
John de Warwick
Walter de Burgo
Ralph de Dundecote
William Rofford
Alexander de Waltham
John de Caversham
John de Sutton
Robert Winchington
Robert Godstow
John Cliffton
Alan Butteson
Thomas
Roger
John Mersh

Priors of St. Mary Overy in Southwark.
1100.
Algodus
Algarus
Warin
Gregory
Ralph
Richard
Valerianus
William de Oxonford
Richard de St. Mildrilda
William Fitzsamari
Martin
Robert de Osney
Humphry
Eustachius
Stephen
Alan
William Wallys
Peter Clegham
Thomas de Southwark
Robert de Welles
John de Pecham
Henry Collingborne
John Kyngeston
Robert Weston
Henry Werkworth
John Bottisham
Henry de Burton
Richard Brigges
John Recolver
Robert Michell
Robert Shouldham
Bartholomew Linsted.

Priors of St. Frideswide's.
1100.
Guimundus
Robert de Cricklade
Philip
John
W——
Simon
Helias
E. Scotus
William de Glocester
Robert de Weston
John de Olney
John de Lewkeneshover
Robert de Ewelme
Alexander de Sutton
Robert de Torneston
John de Littlemore
Nicholas de Hungerford
John de Wallingford
John Dodeford
Thomas Bradenell
Richard de Oxenford
Edmund Andever
Robert Downham
George Norton
Richard Walker
Thomas Ware
William Chedyll
John Burton.

Priors of Bycknacre.
1100.
Ralph
Andrew
John of St. Edmund
Ralph Dunham
William Wilburgham
Alan Berking
Benedict de Rossen
Robert Blakenham
Robert de Ramesden
Matthias Grafton
Reginald Theydon
Ralph Chishull
William Purle
John Thaxsted
John Gosfeld
William Winchester
Edmund Goding.

Priors of Dunmow.
1100.
Brithricus
Augustin
Robert
Ralph
Durand
William
Thomas Tanton
John Pateford
Hugh Stevenheith
Edmund
Geoffrey
John Codham
Hugh Poslington
Richard Wicham
Stephen Noble
Robert II.
Richard Wodehouse
Richard de Plessis
Nicholas Elmdon
John Swasham
John Burham
Richard Glocester
John Newport
John Sutton
John Canon
Roger Bulcot
John Tills
John Blackmore
Geoffrey Shelter.

Priors of Lees.
1200.
Simon
Hugh
Henry of London
John Colchester
John Green
John Pernell
Henry Trotter
Richard Vowell
John Meadow
William Barlow

Abbots of St. Osyth's.
1100.
William Corboil
Ralph
David
Richard
Adam de Wickham
John Story
John Slomon
John Fowler
John Deeping
John Henningham
John Cintoner
John Colchester

Abbots of Osney.
1100.
Radulphus

Wigodus
Edward
Hugh de Buckingham
Clement
Richard de Gray
John Rading
John Leech
Adam de Berniers
Richard de Apletre
William de Sutton
Roger de Coventre
John Bibery
John de Osney
John de Kydlington
John Bakeland
William We..dover
Thomas Hokenorton
John Walton
Richard Leycester
William Barton
John Barton
John Cook
Robert King

Priors of Lanthony.
1100.

Ernisus
Robert de Bethun
Robert de Braci
William of Wicomb
Clement
Roger of Norwich
Geoffrey of Henlawe
Matthew
Henry
Godfrey
John
Everard
Martin
Roger de Godstre
Walter
John de Chandois
Stephen
Philip
David
Thomas of Glocester
John II.
Simon Brockworth
Edward St. John
William Cheriton
William of Penbury
Thomas Elinham
Henry Dean
Edmund Forest
Richard Hempsted.

Priors of Thurgarton.
1100.

Henry
Adam
John Allystre
Elias
Gilbert
William
Richard
John Berwick.

Priors of Norton.
1100.

Henry
Ranulph
Andrew
Roger de Lincoln
John de Olton
John de Wenirham
Thomas
Richard
Robert Leftwigh
Thomas Burket

Priors of Kenelworth.
1100.

Bernard
Laurence
Robert
Walter
Sylvester
David
Robert de Esteley
Richard de Tynelesford
Robert de Salle
Thomas de Warmyngton
John de Peyto
Henry de Bradney
Thomas de Merston
William de Brayles
Thomas Kyderminster
Thomas Holygreve
John Yardley
Ralph Maxfield
William Wall
Simon Jerys

Priors of Nostel, or St. Oswald's.
1100.

Adulphus
Savardus
Asketillus
John
Ralph
William
John II.
Stephen
Benedict
Robert
William II.
Richard de Wartria
John de Insula
Henry de Abreford
John de Insula II.
Adam
Richard Wombull
John Hudresfeld
William Ashton
Richard Hirst
Richard Marsden
Robert Ferrer

Abbots of St Augustine in Bristol.
1100.

Richard
Philip
John
John II.
David
William de Bradeston
William Long
Richard de Malmesbury
John de Marina
Hugh Dodington
James Barry
Edmund Knowle
John Snow
Ralph Aske
William Cook
Henry Shellingford
John Cerne
John Danbury
Walter Newberry
William Hunt
John Newland
John Somerset
William Burton
Morgan Williams

Abbesses of Lacock.
1200.

Ela
Beatrix
Alice
Juliana
Agnes
Margery of Glocester
Johanna Muystefort
Johanna de Temys

Prioresses of Flixton.
1200.
Emma de Beholm
Margery de Stonham
Isabella de Weltham
Margery Howell
Katharine Herward
Elizabeth Moore
Katharine Pilley
Maud Pitcher
Marione Dalingho
Cecilia Creke
Helen
Margery Artiss
Isabella
Alice Wright
Elizabeth Wright

Abbots of Croxton.
1100.
Ralph de Lincoln
John
Jeffrey
Thomas
William de Graham
William de Brackley
John Arghum
Elias Attercliff
Robert Derby
Thomas Grene

Priors of the Dominicans in Oxford.
1200.
Gilbert de Fraxineto
Josias
Simon de Bonil
Hugo de Musterby
Oliver Daynchurch
Thomas
Thomas Everard
Thomas de Westwell
Thomas Lucas
Walter Wynehale
John
John Hopton

Rectors of the Bon-hommes of Ashridge.
1200.
Richard Watford
William de Harwold
Richard de Sarret
Gilbert de Bowells
Ralph Aston
John de Trenge
Robert
John
John Berkhamsted
John Malden
Thomas Waterhouse

Abbots of Margan.
1100.
William
Andrew
Gilbert
John

Abbots of Holmcoltran.
1100.
Everard
Gervase
Robert
Everard II.
Gawin Barrowdale

No. II.

A List of Persons executed in Henry VIII.'s Reign, for opposing the King's Spiritual Supremacy.

1. John Bere, Clergyman
2. John Davies, Clergyman
3. Thomas Greenway, Clergyman
4. Walter Persons, Clergyman
5. Thomas Reading, Clergyman
6. Robert Salt, Clergyman
7. John Hall, Clergyman
8. John Houghton, Carthusian Prior
9. Augustin Webster, Carthusian Prior
10. Thomas, *alias* Robert, Laurence, Carthusian Prior
11. Richard Reynolds, Brigetin, D.D.
12. William Exmew, Carthusian
13. James Warnet, Carthusian
14. John Rochester, Carthusian
15. Humphrey Middlemore, Carthusian
16. Sebastian Newdigate, Carthusian
17. John Fisher, Bishop
18. Sir Thomas More, Lord Chancellor
19. Anthony Brockbey, Franciscan Friar
20. John Stone, Augustin Friar
21. Two Priests, Augustin Friars
22. John Forrest, Franciscan, D. D.
23. John Harries, Clergyman
24. Nicholas Heath, Cluny Monk, Prior
25. John Rugg, Clergyman
26. Sir Adrian Fortescue
27. Griffyth Clark, Vicar of Wandsworth
28. N. N. Chaplain to Griffyth Clark
29. N. N. Servant to Gryffyth Clark
30. Father Waire, Franciscan
31. Sir Thomas Dingley
32. John Travers, Clergyman, D. D.
33. Giles Horn, Gentleman
34. William Horn, Carthusian
35. William Onyon, Clergyman
36. Roger James, Benedictin
37. Hugh Farringdon, Benedictin Abbot
38. Richard Whiting, Bened. Abbot
39. John Thorn, Benedictin
40. John Beach, Abbot
41. William Peterson, Clergyman

42. William Richardson, Clergyman
43. Richard Fetherstone, Clergyman D. D.
44. Thomas Abel, Clergyman, D. D.
45. Edward Powel, Clergyman, D.D.
46. John, *alias* Edward, Bird, Gent.
47. Edmund, or Edward, Bromholm, Clergyman
48. Gervase Carrow, Gent.
49. Laurence Cook, Carthusian
50. Clement Philips, Gent.
51. Sir David Genson
52. A Welsh Gentleman
53. John Risby, Gentleman
54. John Ireland, Clergyman
55. Thomas Rych, Yeoman
56. Thomas Ashby, Gentleman
57. German Gardiner, Clergyman
58. John Lark, Clergyman
59. John Singleton, Clergyman
60. The Abbot of Rivers
61. Thomas Cort, Franciscan
62. Robert Hobbs, Abbot of Woburn
63. The Prior of Woburn
64. The Vicar of Puddington
65. Anthony Browne, Franciscan

No. III.

A List of Persons executed for being in Confederacy with Elizabeth Barton.

1. Elizabeth Barton
2. Edward Boking, Benedictin
3. Henry Gold, Clergyman
4. Hugh Rich, Franciscan
5. John Risby, Franciscan
6. Richard Masters, Clergyman

No. IV.

A List of Persons executed for rising in defence of monastic Lands.

1. William Trafford, Abbot
2. Adam Sudbury, Abbot
3. Sir Stephen Hambleton
4. Sir John Bulmar
5. Lady Bulmar
6. George Ashby, Monk
7. Thomas Mackerel, D.D. Prior
8-12. Five Priests
13-19. Seven Persons, Laymen
20. John Castgate, Monk
21. William Haddock, Monk
22. John Paslew, Abbot
23. Robert Aske, Esq.
24. Sir Francis Bigot
25. Sir Robert Constable
26. Thomas Lord Darcy
27. John Lord Hussy
28. Sir Thomas Percy
29. William Thurst, Abbot
30. William Wold, Prior

No. V.

A List of Persons executed for pretended Plots against the King, &c. mostly on Cardinal Pole's account.

1. Henry Courtney, Marquis of Exeter
2. Henry Pool, Lord Montague
3. Sir Edward Nevil
4. Mr. Holland, Layman
5. Nicholas Collins, Clergyman
6. Mr. Crofts, Clergyman
7. Margaret, Countess of Salisbury
8. James Mallet, Clergyman, D.D.
9. Henry Howard, Earl of Surrey

No. VI.

A List of those that were condemned to die for denying the King's spiritual supremacy: most whereof were starved in prison.

1. William Greenwood, Carthusian
2. Thomas Johnson, Carthusian
3. John Scrivan, Carthusian
4-28. Twenty five more Carthusians
29. Thomas Belchiam, Franciscan
30-61. Thirty two Franciscans.

END OF VOL. I.

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